



TOWN COUNCIL REGULAR MEETING

Thursday, March 06, 2025 at 7:00 PM

Council Chamber Bristol Municipal Complex

AGENDA

This meeting is held in the Bristol Municipal Complex is open for in-person participation.

The meeting is live streamed on Town of Bristol YouTube channel.

Livestream link is available on the Town Website

Bristol Indiana - YouTube

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **APPROVAL OF INVOICES**
6. **APPROVAL OF MINUTES**
 - a. Approval of Council meeting minutes from February 20, 2025 and Executive Session minutes from March 5, 2025

REPORTS

7. **TOWN MANAGER**
 - a. 2025 Corn Dog Festival - preview by Jess Koscher, event coordinator
website: Bristol Corndog Festival | Who needs a bun?
 - b. CCMG 2023-2 Pay app 3 to Niblock \$63,550.80
 - c. Jill to review Amended Salary Ordinance No. 3-6-2025-5
 - Motion to waive the second reading and adopt on first reading (requires a unanimous vote)
 - Motion to adopt Amended Salary Ordinance No. 3.6.2025-5

d. Water project SRF disbursement requests

Motion to approve SRF Disbursement request #15

-Phoenix Fabricators pay app #2 \$81,938, with \$4,313 for retainage

Motion to approve SRF Disbursement request #16

- JPR engineering fees \$23,857

8. CLERK-TREASURER

a. Additional Appropriation request of \$1,367,756.51

- Motion to approve Ordinance No. 3.6.2025-4 on second reading

9. TOWN ATTORNEY

a. Ordinance 3-20-2025-5 Storm water ordinance. First reading

10. PRIVILEGE OF THE FLOOR (Public Comments to Council)

a. Please state your name and address | 3-minute guideline for comments

11. TOWN COUNCIL DISCUSSION ITEMS

a. Doug DeSmith

b. Dean Rentfrow

c. Cathy Burke

d. Gregg Tuholski

e. Jeff Beachy

NEXT MEETINGS:

March 18 work session : Town development standards

March 20 Council meeting

12. MOTION TO ADJOURN

APPLICATION AND CERTIFICATE FOR PAYMENT

AIA DOCUMENT G 702

PAGE ONE OF 2 PAGES

Section 7, Item b.

TO (Contractor): Town of Bristol
PO Box 122
Bristol, IN 46507

PROJECT:
2023-2 Community Crossings Project

APPLICATION NO: THREE (3)
INVOICE NO: 12254
INVOICE DATE: September 24, 2024
PERIOD TO:

Distribution to:
 OWNER
 ARCHITECT
 CONTRACTOR

FROM (SUBCONTRACTOR):
Niblock Excavating
PO Box 211
Bristol, IN 46507

VIA (ENGINEER):
Jones Petrie Rafinski
325 S Lafayette Boulevard
South Bend, IN 46601

CONTRACT DATE: February 23, 2024

CONTRACT FOR:

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER / EXTRA WORK SUMMARY		
Change Order approved in previous months by Owner	ADDITIONS	DEDUCTIONS
TOTAL	\$ -	
Approved this month		
Number	Date Approved	
TOTALS:	\$ -	\$ -
Net change by Change Orders		\$ -

The undersigned Contractor certifies that to the best of the Contractor's Knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: NIBLOCK EXCAVATING

By: Chad Niblock (President)

Application is made for Payment, is shown below, in connection with the Contract. Continuation Sheet showing , SCHEDULE OF VALUES, is attached.

1. ORIGINAL CONTRACT SUM	\$ 657,987.00
2. Net change by Change Orders	\$ -
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$ 657,987.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on Schedule of Values)	\$ 657,987.00
5. RETAINAGE:	
a. 10% of Completed Work	\$ 65,798.70
(Column D + E on S of V)	
b. 10% of Stored Material	\$ -
(Column F on S of V)	
Total Retainage (Line 5a + 5b or Total in Column I on Schedule of Values)	\$ 65,798.70
6. TOTAL EARNED LESS RETAINAGE (Line 4 less Line 5 Total)	\$ 592,188.30
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 528,637.50
8. CURRENT PAYMENT DUE	\$ 63,550.80
9. BALANCE TO FINISH, PLUS RETAINAGE (Line 3 less Line 6)	\$ 65,798.70

State of: Indiana

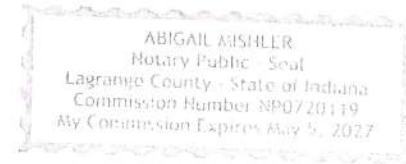
County of: Elkhart

Subscribed and sworn to before me this 24th day of September, 2024

Notary Public: Abigail Mishler

My Commission expires: May 5, 2027

Abigail Mishler



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED:

\$ 63,550.80

(attach explanation if amount certified differs from the amount applied for)

ARCHITECT:

By:

Michael Volf

This Certificate is not negotiable. the AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

SIMILAR TO AIA DOCUMENT G 703

This APPLICATION AND CERTIFICATE FOR PAYMENT, has a Contractor's signed Certification attached.
In tabulations below, amounts are stated to the nearest dollar.

APPLICATION NUMBER: THREE (3)
APPLICATION DATE: 9/24/2024
PERIOD TO:
ARCHITECT'S PROJECT NUMBER:

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULE VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)		H BALANCE TO FINISH (C - G)	I RETAINAGE
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		% (G / C)			
101	Mob and Demob	\$ 39,500.00	\$ 29,625.00	\$ 9,875.00	\$ -	\$ 39,500.00	100%	\$ -	\$ 3,950.00
102	Maint. of Traffic	\$ 9,500.00	\$ 7,125.00	\$ 2,375.00	\$ -	\$ 9,500.00	100%	\$ -	\$ 950.00
103	Construction Engineering	\$ 9,500.00	\$ 9,500.00	\$ -	\$ -	\$ 9,500.00	100%	\$ -	\$ 950.00
104	Clearing Right of Way	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	100%	\$ -	\$ 500.00
105	Excavation, Common	\$ 47,515.00	\$ 47,515.00	\$ -	\$ -	\$ 47,515.00	100%	\$ -	\$ 4,751.50
106	Full Depth, PCCP, Remove	\$ 2,125.00	\$ 2,125.00	\$ -	\$ -	\$ 2,125.00	100%	\$ -	\$ 212.50
107	Curb, Concrete, Remove	\$ 120.00	\$ 120.00	\$ -	\$ -	\$ 120.00	100%	\$ -	\$ 12.00
108	Curb and Gutter, Remove	\$ 1,200.00	\$ 1,200.00	\$ -	\$ -	\$ 1,200.00	100%	\$ -	\$ 120.00
109	Sidewalk Concrete, Remove	\$ 5,250.00	\$ 5,250.00	\$ -	\$ -	\$ 5,250.00	100%	\$ -	\$ 525.00
110	Inlet, Remove	\$ 475.00	\$ 475.00	\$ -	\$ -	\$ 475.00	100%	\$ -	\$ 47.50
111	Pipe, Remove	\$ 2,322.00	\$ 2,322.00	\$ -	\$ -	\$ 2,322.00	100%	\$ -	\$ 232.20
112	Fence and Posts, Remove	\$ 415.00	\$ 415.00	\$ -	\$ -	\$ 415.00	100%	\$ -	\$ 41.50
113	Pipe End Section, Remove	\$ 900.00	\$ 900.00	\$ -	\$ -	\$ 900.00	100%	\$ -	\$ 90.00
114	Subgrade Treatment, Type III	\$ 82,894.00	\$ 82,894.00	\$ -	\$ -	\$ 82,894.00	100%	\$ -	\$ 8,289.40
115	Erosion Control	\$ 7,750.00	\$ 5,812.50	\$ 1,937.50	\$ -	\$ 7,750.00	100%	\$ -	\$ 775.00
116	Dense Graded Subbase	\$ 4,500.00	\$ 4,500.00	\$ -	\$ -	\$ 4,500.00	100%	\$ -	\$ 450.00
117	Compacted Aggregate, No. 53	\$ 55,486.50	\$ 55,486.50	\$ -	\$ -	\$ 55,486.50	100%	\$ -	\$ 5,548.65
118	Compacted Aggregate, No. 73	\$ 9,030.00	\$ 9,030.00	\$ -	\$ -	\$ 9,030.00	100%	\$ -	\$ 903.00
119	No. 4 Crushed, Washed Stone for Trench Drain	\$ 27,622.50	\$ 27,622.50	\$ -	\$ -	\$ 27,622.50	100%	\$ -	\$ 2,762.25
120	HMA, 2, 64, Surface 9.5 mm	\$ 46,540.00	\$ -	\$ 46,540.00	\$ -	\$ 46,540.00	100%	\$ -	\$ 4,654.00
121	HMA, 2, 64, Intermediate 19.0 mm	\$ 78,850.00	\$ 78,850.00	\$ -	\$ -	\$ 78,850.00	100%	\$ -	\$ 7,885.00
122	Joint Adhesive, Surface	\$ 1,144.00	\$ 1,144.00	\$ -	\$ -	\$ 1,144.00	100%	\$ -	\$ 114.40
123	Joint Adhesive, Intermediate	\$ 1,144.00	\$ 1,144.00	\$ -	\$ -	\$ 1,144.00	100%	\$ -	\$ 114.40
124	Liquid Asphalt Sealant	\$ 176.00	\$ 176.00	\$ -	\$ -	\$ 176.00	100%	\$ -	\$ 17.60
125	Asphalt for Tack Coat	\$ 2.00	\$ 2.00	\$ -	\$ -	\$ 2.00	100%	\$ -	\$ 0.20
126	Fence, Chain Link	\$ 1,200.00	\$ 1,200.00	\$ -	\$ -	\$ 1,200.00	100%	\$ -	\$ 120.00
127	Sidewalk, Concrete	\$ 59,075.00	\$ 59,075.00	\$ -	\$ -	\$ 59,075.00	100%	\$ -	\$ 5,907.50
128	Curb Ramp, Concrete	\$ 13,760.00	\$ 13,760.00	\$ -	\$ -	\$ 13,760.00	100%	\$ -	\$ 1,376.00
129	Curb, Concrete	\$ 3,535.00	\$ 3,535.00	\$ -	\$ -	\$ 3,535.00	100%	\$ -	\$ 353.50
130	Curb and Gutter, Concrete	\$ 17,077.50	\$ 17,077.50	\$ -	\$ -	\$ 17,077.50	100%	\$ -	\$ 1,707.75
131	PCCP for Approaches, 6 in.	\$ 38,500.00	\$ 38,500.00	\$ -	\$ -	\$ 38,500.00	100%	\$ -	\$ 3,850.00
132	Mobilization and Demobilization for Seeding	\$ 1,000.00	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	100%	\$ -	\$ 100.00
133	Mulched Seeding, Type U	\$ 13,447.00	\$ 13,447.00	\$ -	\$ -	\$ 13,447.00	100%	\$ -	\$ 1,344.70
134	Pipe, 8 in., PVC	\$ 9,225.00	\$ 9,225.00	\$ -	\$ -	\$ 9,225.00	100%	\$ -	\$ 922.50
135	Pipe, 18 in., PVC, Perforated	\$ 13,000.00	\$ 13,000.00	\$ -	\$ -	\$ 13,000.00	100%	\$ -	\$ 1,300.00
136	Geotextile for Trench Drain	\$ 3,072.00	\$ 3,072.00	\$ -	\$ -	\$ 3,072.00	100%	\$ -	\$ 307.20
137	Casting, Manhole, Adjust to Grade	\$ 475.00	\$ 475.00	\$ -	\$ -	\$ 475.00	100%	\$ -	\$ 47.50
138	Inlet, Type A8	\$ 4,900.00	\$ 4,900.00	\$ -	\$ -	\$ 4,900.00	100%	\$ -	\$ 490.00
139	6' DIA., Dry Well, Casting Type 8	\$ 23,700.00	\$ 23,700.00	\$ -	\$ -	\$ 23,700.00	100%	\$ -	\$ 2,370.00
140	Casting, Water Valve, Adjust to Grade	\$ 1,125.00	\$ 1,125.00	\$ -	\$ -	\$ 1,125.00	100%	\$ -	\$ 112.50
141	Casting, Water Meter, Adjust to Grade	\$ 750.00	\$ 750.00	\$ -	\$ -	\$ 750.00	100%	\$ -	\$ 75.00
142	Sign, Sheet, Ground Mounted, Reset	\$ 1,850.00	\$ 1,850.00	\$ -	\$ -	\$ 1,850.00	100%	\$ -	\$ 185.00
143	Line, Paint, Solid, White, 4 in.	\$ 4,640.00	\$ -	\$ 4,640.00	\$ -	\$ 4,640.00	100%	\$ -	\$ 464.00
144	Line, Paint, Solid, Yellow, 4 in.	\$ 672.00	\$ -	\$ 672.00	\$ -	\$ 672.00	100%	\$ -	\$ 67.20
145	Pavement Message Marking, Paint, Lane Indication A	\$ 450.00	\$ -	\$ 450.00	\$ -	\$ 450.00	100%	\$ -	\$ 45.00

CONTINUATION SHEET

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			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G / C)		
146	Transverse Marking, Paint, Stop Line, White, 24 in	\$ 943.00	\$ -	\$ 943.00	\$ -	\$ 943.00	100%	\$ -	\$ 94.30
147	Transverse Marking, Paint, Crosswalk Line, White,	\$ 1,479.50	\$ -	\$ 1,479.50	\$ -	\$ 1,479.50	100%	\$ -	\$ 147.95
148	Pavement Message Marking, Paint, School	\$ 1,700.00	\$ -	\$ 1,700.00	\$ -	\$ 1,700.00	100%	\$ -	\$ 170.00
201	Fire Hydrant Assembly, Relocate	\$ 3,450.00	\$ 3,450.00	\$ -	\$ -	\$ 3,450.00	100%	\$ -	\$ 345.00
TOTAL		\$ 657,987.00	\$ 587,375.00	\$ 70,612.00	\$ -	\$ 657,987.00	100%	\$ -	\$ 65,798.70

Town of Bristol
Call 2023-2 Community Crossings Project

Section 7, Item b.

Bid Total						Pay App. No. 1 (July 3)		Pay App. No. 2 (Aug. 29)		Pay App. No. 3 (Sep. 24)		TOTAL TO DATE	
Bid Item	Description	Bid Quantity	Units	Unit Price	Total	Qty charged	Amount Charged	Qty charged	Amount Charged	Qty charged	Amount Charged	QTY	AMNT
101	Mob and Demob	1	LS	\$ 39,500.00	\$ 39,500.00	0.75	\$ 29,625.00		\$ -	0.25	\$ 9,875.00	1.00	\$ 39,500.00
102	Maint. of Traffic	1	LS	\$ 9,500.00	\$ 9,500.00	0.50	\$ 4,750.00	0.25	\$ 2,375.00	0.25	\$ 2,375.00	1.00	\$ 9,500.00
103	Construction Engineering	1	LS	\$ 9,500.00	\$ 9,500.00	0.50	\$ 4,750.00	0.50	\$ 4,750.00		\$ -	1.00	\$ 9,500.00
104	Clearing Right of Way	1	LS	\$ 5,000.00	\$ 5,000.00	1.00	\$ 5,000.00		\$ -		\$ -	1.00	\$ 5,000.00
105	Excavation, Common	2,210	CYS	\$ 21.50	\$ 47,515.00	2,210.00	\$ 47,515.00		\$ -		\$ -	2,210.00	\$ 47,515.00
106	Full Depth, PCCP, Remove	170	SYS	\$ 12.50	\$ 2,125.00	170.00	\$ 2,125.00		\$ -		\$ -	170.00	\$ 2,125.00
107	Curb, Concrete, Remove	12	LFT	\$ 10.00	\$ 120.00	12.00	\$ 120.00		\$ -		\$ -	12.00	\$ 120.00
108	Curb and Gutter, Remove	120	LFT	\$ 10.00	\$ 1,200.00	120.00	\$ 1,200.00		\$ -		\$ -	120.00	\$ 1,200.00
109	Sidewalk Concrete, Remove	525	SYS	\$ 10.00	\$ 5,250.00	525.00	\$ 5,250.00		\$ -		\$ -	525.00	\$ 5,250.00
110	Inlet, Remove	1	EA	\$ 475.00	\$ 475.00	1.00	\$ 475.00		\$ -		\$ -	1.00	\$ 475.00
111	Pipe, Remove	108	LFT	\$ 21.50	\$ 2,322.00	108.00	\$ 2,322.00		\$ -		\$ -	108.00	\$ 2,322.00
112	Fence and Posts, Remove	1	LS	\$ 415.00	\$ 415.00	1.00	\$ 415.00		\$ -		\$ -	1.00	\$ 415.00
113	Pipe End Section, Remove	4	EA	\$ 225.00	\$ 900.00	4.00	\$ 900.00		\$ -		\$ -	4.00	\$ 900.00
114	Subgrade Treatment, Type III	5,348	SYS	\$ 15.50	\$ 82,894.00		\$ -	5,348.00	\$ 82,894.00		\$ -	5,348.00	\$ 82,894.00
115	Erosion Control	1	LS	\$ 7,750.00	\$ 7,750.00	0.50	\$ 3,875.00	0.25	\$ 1,937.50	0.25	\$ 1,937.50	1.00	\$ 7,750.00
116	Dense Graded Subbase	50	CYS	\$ 90.00	\$ 4,500.00		\$ -	50.00	\$ 4,500.00		\$ -	50.00	\$ 4,500.00
117	Compacted Aggregate, No. 53	1,563	TON	\$ 35.50	\$ 55,486.50		\$ -	1,563.00	\$ 55,486.50		\$ -	1,563.00	\$ 55,486.50
118	Compacted Aggregate, No. 73	129	TON	\$ 70.00	\$ 9,030.00		\$ -	129.00	\$ 9,030.00		\$ -	129.00	\$ 9,030.00
119	No. 4 Crushed, Washed Stone for Trench Drain	381	TON	\$ 72.50	\$ 27,622.50	381.00	\$ 27,622.50		\$ -		\$ -	381.00	\$ 27,622.50
120	HMA, 2, 64, Surface 9.5 mm	358	TON	\$ 130.00	\$ 46,540.00		\$ -		\$ -	358.00	\$ 46,540.00	358.00	\$ 46,540.00
121	HMA, 2, 64, Intermediate 19.0 mm	830	TON	\$ 95.00	\$ 78,850.00		\$ -	830.00	\$ 78,850.00		\$ -	830.00	\$ 78,850.00
122	Joint Adhesive, Surface	1,760	LFT	\$ 0.65	\$ 1,144.00		\$ -	1,760.00	\$ 1,144.00		\$ -	1,760.00	\$ 1,144.00
123	Joint Adhesive, Intermediate	1,760	LFT	\$ 0.65	\$ 1,144.00		\$ -	1,760.00	\$ 1,144.00		\$ -	1,760.00	\$ 1,144.00
124	Liquid Asphalt Sealant	1,760	LFT	\$ 0.10	\$ 176.00		\$ -	1,760.00	\$ 176.00		\$ -	1,760.00	\$ 176.00
125	Asphalt for Tack Coat	2	TON	\$ 1.00	\$ 2.00		\$ -	2.00	\$ 2.00		\$ -	2.00	\$ 2.00
126	Fence, Chain Link	1	LS	\$ 1,200.00	\$ 1,200.00		\$ -	1.00	\$ 1,200.00		\$ -	1.00	\$ 1,200.00
127	Sidewalk, Concrete	695	SYS	\$ 85.00	\$ 59,075.00		\$ -	695.00	\$ 59,075.00		\$ -	695.00	\$ 59,075.00
128	Curb Ramp, Concrete	64	SYS	\$ 215.00	\$ 13,760.00		\$ -	64.00	\$ 13,760.00		\$ -	64.00	\$ 13,760.00
129	Curb, Concrete	70	LFT	\$ 50.50	\$ 3,535.00		\$ -	70.00	\$ 3,535.00		\$ -	70.00	\$ 3,535.00
130	Curb and Gutter, Concrete	495	LFT	\$ 34.50	\$ 17,077.50		\$ -	495.00	\$ 17,077.50		\$ -	495.00	\$ 17,077.50
131	PCCP for Approaches, 6 in.	275	SYS	\$ 140.00	\$ 38,500.00		\$ -	275.00	\$ 38,500.00		\$ -	275.00	\$ 38,500.00
132	Mobilization and Demobilization for Seeding	2	EA	\$ 500.00	\$ 1,000.00		\$ -	2.00	\$ 1,000.00		\$ -	2.00	\$ 1,000.00
133	Mulched Seeding, Type U	1,582	SYS	\$ 8.50	\$ 13,447.00		\$ -	1,582.00	\$ 13,447.00		\$ -	1,582.00	\$ 13,447.00
134	Pipe, 8 in., PVC	205	LFT	\$ 45.00	\$ 9,225.00	205.00	\$ 9,225.00		\$ -		\$ -	205.00	\$ 9,225.00
135	Pipe, 18 in., PVC, Perforated	200	LFT	\$ 65.00	\$ 13,000.00	200.00	\$ 13,000.00		\$ -		\$ -	200.00	\$ 13,000.00
136	Geotextile for Trench Drain	512	SYS	\$ 6.00	\$ 3,072.00	512.00	\$ 3,072.00		\$ -		\$ -	512.00	\$ 3,072.00
137	Casting, Manhole, Adjust to Grade	1	EA	\$ 475.00	\$ 475.00	1.00	\$ 475.00		\$ -		\$ -	1.00	\$ 475.00
138	Inlet, Type A8	2	EA	\$ 2,450.00	\$ 4,900.00	2.00	\$ 4,900.00		\$ -		\$ -	2.00	\$ 4,900.00
139	6' DIA., Dry Well, Casting Type 8	2	EA	\$ 11,850.00	\$ 23,700.00	2.00	\$ 23,700.00		\$ -		\$ -	2.00	\$ 23,700.00
140	Casting, Water Valve, Adjust to Grade	3	EA	\$ 375.00	\$ 1,125.00		\$ -	3.00	\$ 1,125.00		\$ -	3.00	\$ 1,125.00
141	Casting, Water Meter, Adjust to Grade	2	EA	\$ 375.00	\$ 750.00		\$ -	2.00	\$ 750.00		\$ -	2.00	\$ 750.00
142	Sign, Sheet, Ground Mounted, Reset	10	EA	\$ 185.00	\$ 1,850.00		\$ -	10.00	\$ 1,850.00		\$ -	10.00	\$ 1,850.00
143	Line, Paint, Solid, White, 4 in.	2,320	LFT	\$ 2.00	\$ 4,640.00		\$ -		\$ -	2,320.00	\$ 4,640.00	2,320.00	\$ 4,640.00
144	Line, Paint, Solid, Yellow, 4 in.	336	LFT	\$ 2.00	\$ 672.00		\$ -		\$ -	336.00	\$ 672.00	336.00	\$ 672.00
145	Pavement Message Marking, Paint, Lane Indication A	2	EA	\$ 225.00	\$ 450.00		\$ -		\$ -	2.00	\$ 450.00	2.00	\$ 450.00
146	Transverse Marking, Paint, Stop Line, White, 24 in	82	LFT	\$ 11.50	\$ 943.00		\$ -		\$ -	82.00	\$ 943.00	82.00	\$ 943.00
147	Transverse Marking, Paint, Crosswalk Line, White,	269	LFT	\$ 5.50	\$ 1,479.50		\$ -		\$ -	269.00	\$ 1,479.50	269.00	\$ 1,479.50
148	Pavement Message Marking, Paint, School	2	EA	\$ 850.00	\$ 1,700.00		\$ -		\$ -	2.00	\$ 1,700.00	2.00	\$ 1,700.00
201	Fire Hydrant Assembly, Relocate	1	EA	\$ 3,450.00	\$ 3,450.00	1.00	\$ 3,450.00		\$ -		\$ -	1.00	\$ 3,450.00
TOTAL CONTRACT					\$ 657,987.00		\$ 193,766.50		\$ 393,608.50		\$ 70,612.00		\$ 657,987.00

Partial Waiver of Lien

State of Indiana, ss:

Whereas, the undersigned **Niblock Excavating Inc.** has been heretofore employed by the Town of Bristol to furnish certain material and labor for the 2023-2 Community Crossings project located in Bristol, IN.

Now Therefore, Know Ye, That the undersigned, contingent upon receipt of \$63,550.80 hereby waives and releases unto the said owner of said premises, any and all lien, right of lien or claim of whatsoever kind of character on the above described building and real estate, TO AND FOR SAID AMOUNT, on account of any and all labor, material, or both, furnished for or incorporated into said building as well as products from the asphalt plant which is owned by Niblock Excavating, by the undersigned, up to this date, and does further certify that the consideration moving to the undersigned for executing this Partial Waiver of Lien has been mutually given and accepted as a part payment to or on account of the said Contract for said building and real estate.

Signed, sealed and delivered this 24th day of September 2024.

Signed : Niblock Excavating, Inc.

By: Chad Niblock, President

Personally appeared before me this 24th day of September 2024, Chad Niblock, who, being duly sworn on oath, says: That he is President of **Niblock Excavating, Inc.**, and that he hereby acknowledges the execution of the foregoing instrument for and on behalf of said corporation and at its special instance and request.

State of Indiana
County of Elkhart *Abigail Mishler*



Notary Public: Abigail Mishler, Resident of LaGrange County
My Commission Expires: May 5, 2027

**TOWN OF BRISTOL, INDIANA
Amendment ORD. NO. 03-06-2025-5
SALARY ORDINANCE NO. 12-19-2024-28**

WHEREAS the Town of Bristol is desirous of establishing a schedule of total compensation to include the salaries and benefits for its employees for the year 2025; and

WHEREAS the Town of Bristol Town Council has reviewed the financial condition of the Town for purposes of arriving at proposed total compensation to include salaries and benefits that are fiscally responsible, and which are fair, just, and equitable to its employees.

NOW THEREFORE BE IT ORDAINED by the Town of Bristol Town Council, that the total compensation for its elected officials and employees **for January 1, 2025, through December 31, 2025, or from the date amended through December 31, 2025, shall be as follows:**

2025 BASE PAY RATE SCHEDULE

TITLE	CLASSIFICATION	BASE PAY RATE	BUDGETED FUNDS
Town Council President	Elected Official Stipend	\$2,383.50 paid in June and December	100% General Fund
Town Council Member(s)	Elected Official Stipend	\$2,121.00 paid in June and December	100% General Fund
Park Board Member(s)	Appointed Official Stipend	\$975.00 paid in December	100% Park Fund
Town Manager [MY]	Exempt Full-Time	\$2,947.67 biweekly	100% General Fund
Clerk-Treasurer [CA]	Elected Official Exempt Full-Time	\$2,718.93 biweekly	100% General Fund
Deputy Clerk / Assistant Town Manager [JS]	Nonexempt Full-Time	\$31.50 per hour	100% General Fund
Utility Clerk [DT]	Nonexempt Full-Time	18.58 per hour	100% Water Fund
Town Marshal [SP]	Exempt Full-Time	\$3,651.69 biweekly	100% Police Fund
Sergeant [AD]	Nonexempt Full-Time	\$43.17 per hour	100% Police Fund
Chief Deputy [DL]	Nonexempt Full-Time	\$44.65 per hour	100% Police Fund
Detective [NR]	Nonexempt Full-Time	\$39.69 per hour	100% Police Fund
Corporal [KH]	Nonexempt Full-Time	\$42.18 per hour	100% Police Fund
Deputy Police Officer [JL]	Nonexempt Full-Time	\$34.23 per hour	100% Police Fund
Deputy Police Officer [CP]	Nonexempt Full-Time	\$30.76 per hour	100% Police Fund
Deputy Police Officer [VA]	Nonexempt Full-Time	\$30.76 per hour	100% Police Fund
Deputy Police Officer [CS]	Nonexempt Full-Time	\$32.75 per hour	100% Public Safety Fund
Deputy Police Officer [GS]	Nonexempt Full-Time	\$38.70 per hour	100% Public Safety Fund

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TITLE	CLASSIFICATIO	BASE PAY RATE	BUDGETED FUNDS
Deputy Police Officer [JD]	Nonexempt Full-Time	\$30.76 per hour	100% Public Safety Fund
Ordinance Officer [RC]	Nonexempt Part-Time	\$24.04 per hour	100% Police Fund
Police Department Clerical Personnel [AA]	Nonexempt Full-Time	\$24.81 per hour	100% Police Fund
Street Department Employee – 1 [WB]	Nonexempt Full-Time	\$32.68 per hour	100% General Fund
Street Department Superintendent [EF]	Nonexempt Full-Time	\$32.68 per hour	100% General Fund
Street Department Employee – 3 [MG]	Nonexempt Full-Time	\$26.50 per hour	100% General Fund
Utility Superintendent [TM]	Nonexempt Full-Time	\$38.27 per hour	65% Wastewater 35% MS4
Utility Employee-3 [KB]	Nonexempt Full-Time	\$29.65 per hour	100% Wastewater Fund
Utility Employee 4 [JM]	Nonexempt Full-Time	\$33.58 per hour	100% Water fund
Utility Employee 5 [DD]	Nonexempt Full-Time	\$31.50 per hour	100% Water Fund
Office Support Assistant [PE]	Nonexempt Part-Time	\$10.50 per hour	100% Water Fund
Utility Department 1 Seasonal Employee	Nonexempt Seasonal	\$15.00 per hour	100% Water Fund
2 Seasonal Employee(s) Various departments	Nonexempt Part-Time	\$18.00 per hour \$21.00 per hour	25% MVH Fund 75% Cemetery

GUIDELINES FOR THE PAYMENT OF BASE RATES

The Clerk-Treasurer and all full-time and part-time employees shall be paid bi-weekly in 2025 with the first biweekly pay date of January 10, 2025, based on the pay period designated as Sunday, December 24, 2024, through Saturday, January 04, 2025. The standard workweek is from Sunday through Saturday. All employees are paid biweekly which equates to 26 pays during 2025.

Exempt (EX) employees are paid to “get the job done” and their pay does not vary from week to week. Nonexempt (NE) employees are paid by the hour for all hours worked during each workweek.

The Town Council President and the Town Council members will be paid on May 30, 2025, and on November 29, 2025, for the pay rates as listed in the 2025 Base Pay Rate Schedule above. Park Board members are paid on November 28, 2025, for the amount listed in the 2025 Base Pay Rate Schedule above.

Work Schedules/Hours/Breaks

The Town of Bristol will establish the standard workday, workweek, and starting and ending times for each department, considering current and anticipated workloads, public service needs, and other factors. Each department is responsible for communicating these work parameters to their employees. No established schedule will be construed as a guarantee of work hours or as a restriction of the Town of Bristol’s right to restructure the workday or workweek.

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Street Department employees will work from 7:00 a.m. until 3:00 p.m. Monday through Friday with two 15-minute paid breaks.

Water and Wastewater Department employees will work four 10-hour days per week. Either Monday through Thursday or Tuesday through Friday. Work hours are 6:30 am to 4:30 pm with two 15-minute paid breaks. An optional schedule is four 10-hour workdays with work hours of 6:30 am to 5:00 pm, with two 15-minute breaks and a 30-minute lunch break. Each employee is required to work a minimum of 1 weekend per month to perform IDEM-mandated testing. The weekend shift will be aligned with on-call duty schedules.

Police Department employees are assigned to one of the following seven shifts:

- - Shift A 6:00 a.m. - 2:00 p.m.
- - Shift B 8:00 a.m. - 4:00 p.m.
- - Shift C 10:00 a.m. - 6:00 p.m.
- - Shift D 2:00 p.m. - 10:00 p.m.
- - Shift E 4:00 p.m. - 12:00 a.m.
- - Shift F 6:00 p.m. - 2:00 a.m.
- - Shift M 10:00 p.m. - 6:00 a.m.

Police officers may be assigned to a non-routine shift beyond the shifts listed above.

The Town Manager, Assistant Town Manager, Clerk-Treasurer, Deputy Clerk, and Park Coordinator work from 8:00 a.m. until 4:00 p.m. Monday through Friday with two 15-minute paid breaks.

At the discretion of the Town of Bristol, nonexempt employees may be authorized to take break periods during each shift. Such breaks may not interfere with the proper performance of the employee's work responsibilities and may be set by Supervisors, or the Department Head.

Base wages are set by this salary ordinance for 2025, and any changes will require approval from the Town Council.

Employees of the Town of Bristol must meet the following guidelines in order to receive the base rates listed above per each department's guidelines.

PAY CONSIDERATIONS

Civilian Employees

All full-time civilian employees may be scheduled to work 40-hours per work week based upon 2,080 hours per calendar year. Five 8-hour days or four 10-hour days depending upon the department's established work schedule.

All seasonal and/or part-time civilian employees may be scheduled to work less than the normal 40-hour workweek, or eight-hour shifts. However, there is no set schedule for these employees.

The Town Manager, or the Clerk-Treasurer, will determine the pay rate for their direct report employees who are hired mid-year for a position listed in the chart above, with the approval from the Town Council.

Police Department Employees

Full-time Police Department employees may be scheduled to work 40 hours in a seven-day work period.

Full-time Police Department employees voluntarily participating in the Indiana Criminal Justice Institute **Selective Enforcement program** will be compensated at **double time** ~~one and one-half times~~ their hourly rate for all hours worked in the Selective Enforcement program, beyond their normal daily duties. In 2025, there will be approximately 10 hours per month for all Police

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Department employees collectively. The total hours worked will be paid from the Police Fund, based on an approved Elkhart County grant.

Overtime/Compensatory Time/Flextime

Overtime compensation will be paid to nonexempt employees at time and one-half of the employee’s hourly pay rate for all hours worked over 40 in a standard workweek and in accordance with the Fair Labor Standards Act (FLSA). An employee’s time off while using vacation, personal leave time, holidays, bereavement leave, jury or witness duty leave, or any other leave of absence will not be considered hours worked for purposes of performing overtime calculations. Overtime is generally discouraged and must be approved by an employee’s Supervisor in advance, except in an unusual or emergency situation.

The Town of Bristol may allow compensatory time in lieu of overtime pay for nonexempt employees. Compensatory time is earned at the rate of one and one-half times the actual time worked. For example, a nonexempt employee who works one hour of overtime will receive one and one-half hours of compensatory time. Compensatory time may be accrued to a maximum of 40-hours and employees should use banked time as soon as possible after it has been earned. Upon termination of employment, the nonexempt employee is entitled to receive payment for earned and unused compensatory time at the regular hourly wage rate in effect at the date of termination, or the average of the past three-years, whichever is greater.

It may be possible for employees in certain situations, with the permission of their supervisor, to work an adjusted or flexible work schedule. The schedule must not cause a reduction in the ability of that employee’s department to properly perform its duties and responsibilities. The establishment of a flexible schedule may not result in the need to hire other employees or the use of overtime to cover those “traditional” hours not worked by the employee working a flexible schedule. A flexible schedule may allow for nonexempt employees to work more than eight hours in a day but must not exceed 40-hours in a workweek.

“Call-In” Pay – Civilian and Police Department Employees

Nonexempt civilian employees who are called-in to work during nonworking hours will be paid a minimum of one-hour at their normal rate of pay for all hours worked and the hours worked will be used in the calculation of overtime for all hours worked over 40 in a workweek payable from the appropriate departmental budget.

Nonexempt civilian employees who are called-in to work during an approved scheduled vacation or personal leave time will be paid a minimum of one-hour at a rate of time and one-half their normal rate of pay for all hours worked. The hours worked will be paid from the appropriate departmental budget.

Nonexempt employees who are called-in to work during a holiday will be paid a minimum of one-hour at a rate of time and one-half their normal rate of pay for all hours worked in addition to their holiday pay, payable from the appropriate departmental budget.

Nonexempt employees in the Police Department who provide supervisory consultation will be paid in blocks of 15-minutes which will be counted towards the 40-hours in a seven-day work period payable from the Police Department budget. Nonexempt employees in the Police Department who are “called-in” to work will be paid a minimum of one-hour. If they work beyond one hour, the amount of time will be rounded up in 15-minute increments and will be counted towards the 40-hours in a seven-day work period payable from the Police Department budget.

ADDITIONAL PAY CONSIDERATIONS

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Training and Professional Development

On-the-job training (OTJ) prepares employees to perform the responsibilities required of his or her position. The Clerk-Treasurer and regular full-time and part-time employees may obtain training or education leave without loss of pay for the purpose of participating in training that will increase the knowledge and efficiency in their jobs. Employees may be paid straight-time pay for eight-hours per day while attending seminars, conferences, or training classes. Time spent in training and professional development will be considered hours worked. Employees may utilize flex-time or be compensated with overtime or compensatory time for any hours over 40 in a training workweek. Expenses involved in attending training shall be paid for in advance, if possible, from the applicable departmental budget.

Certifications

Full-time employees in the Water and Wastewater Departments will receive pay for certifications that are required for the duties of their jobs. The total amount paid will be considered hours worked for purposes of performing overtime calculations and will be paid from the Water and Wastewater budgets.

Clothing Allowances

Members of the Town of Bristol Police Department Reserve Officer program, to include: Chaplain Officers, Reserve Officers, and Probationary Reserve Officers will receive a clothing allowance two times in 2025: one distribution in June of 2025 and one distribution in December of 2025 in the amounts listed below. Probationary Reserve Officers are not eligible for the clothing allowance until they satisfactorily complete the Pre-Basic Academy training and the Field Training Officer (FTO) program.

- Chaplain Officer = Up to \$400.00 per distribution
- Reserve Officer = Up to \$500.00 per distribution
- Probationary Reserve Officer = Up to \$500.00 per distribution after completion of required training. If required training is completed between distributions, the clothing allowance shall be prorated.

All clothing allowances will be taxed according to IRS rules and included on the employee's W-2.

Tenure Incentive Pay (TIP)

Tenure Incentive Pay (TIP) is available to regular full and part-time employees as a reward and recognition in response to their continued acceptable level of job performance after two years of service. Any full-time civilian employee is eligible for TIP under the civilian employee guidelines at a rate of \$100.00 per year of employment, not to exceed \$2,000.00. Any part-time employee is eligible for TIP under the civilian employee guidelines at a rate of \$50.00 per year of employment, not to exceed \$1,000.00. TIP compensation will be paid on the first available pay date in December. Any eligible employee employed by the Town on that date shall receive the TIP. Any employee who terminates employment prior to this date, they will not be eligible for the TIP. The total amount paid will be considered hours worked for purposes of performing overtime calculations and will be paid from the budgetary funds as noted in the 2025 Base Pay Rate Schedule above.

Police officers should refer to Appendix #1 - TIP Full-Time Sworn Law Enforcement Compensation Matrix at the end of the Salary Ordinance for information on Tenure Incentive Pay.

Emergency Closings

Non-critical service employees are expected to report for their regular work unless the County Emergency Management issues a media broadcast statement requiring that citizens are to remain off Town streets, or their Department Head contacts them prior to the start of the workday with alternate instructions. When the decision to close is made prior to the workday, or when the

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decision to close is made after the workday has begun, time off from scheduled work will be paid.

Critical service employees are expected to report for their regular shift assignment during emergency closings unless their Department Head has contacted the employees personally with alternate instructions. In these circumstances, employees who work will receive regular pay. A critical service employee may request to use vacation or personal leave time. However, the request may be denied with no recourse available to the employee except to report to work for his or her regular full-time employees who do not report to work on a day in which the workplace is open may use available vacation, personal leave time, or compensatory time, or the time will be unpaid. The Department Head may allow the employee to make up time missed, provided that the time is documented. Regular part-time employees who cannot report to work due to a weather or civil emergency will receive no pay for the day.

Refer to the Town of Bristol Employee Handbook for additional information regarding emergency closings.

BENEFITS SCHEDULE

Health Insurance

Medical, dental, and vision benefits are offered to the Clerk-Treasurer and eligible employees on the first day of employment. Eligible employees include:

- Regular full-time employees

The Town of Bristol contributes 90% of the medical insurance premium from the General, Water, and Sewer Fund on behalf of the employee and their dependents and the employee is required to contribute 10% of the medical insurance tiered-based premium through payroll deduction, as follows:

2025 United Health Care (UHC) Plans	AIM Option 1 Total Costs	AIM Option 1 Monthly Employer 90% Costs	AIM Option 1 Monthly Employee 10% Costs	AIM Option 2 Total Costs	AIM Option 2 Monthly Employer 90% Costs	AIM Option 2 Monthly Employee 10% Costs
Employee Only	\$1,029.14	\$926.23	\$102.91	\$849.21	\$764.29	\$84.92
Employee Plus Spouse	\$2,058.29	\$1,852.46	\$205.83	\$1,698.42	\$1,528.58	\$169.84
Employee Plus Children	\$1955.37	\$1,759.83	\$195.54	\$1,613.50	\$1,452.15	\$161.35
Family	\$2,984.52	\$2,686.07	\$298.45	\$2,462.70	\$2,216.43	\$246.27

The Town of Bristol contributes 100% for both the dental and vision insurance premiums from the General, Water, and Sewer Fund on behalf of eligible employees and their dependents, as follows:

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Delta Dental	Monthly Employer Contribution
Employee Only	\$26.32
Employee plus One	\$52.66
Employee plus Children	\$71.12
Employee plus Family	\$106.88

VSP Vision Care	Monthly Employer Contribution
Employee Only	\$6.15
Employee plus One	\$12.33
Employee plus Children	\$13.16
Employee plus Family	\$21.05

The renewal dates for the medical, dental, and vision insurance plans are on January 1, 2025. There may or may not be an increase in the premium totals after this date.

Refer to each Summary of Benefits and Coverage (SBC) document for additional information on medical, dental, and vision benefits offered by the Town of Bristol.

Life and AD&D Insurance

The Town of Bristol offers all eligible employees upon their date of hire participation in The Standard Life and AD&D insurance benefits. Eligible employees include:

- Regular full-time employees

Eligible employees will be provided with a policy equal to a \$50,000 benefit. The Town of Bristol pays 100% of the premium totaling \$8.00 per employee per month. The renewal date for life and AD&D insurance is on January 1, 2025, and there may or may not be an increase in the premium totals after this date. Refer to the Plan Document for additional information on the life and AD&D insurance plan.

Short-Term Disability Insurance

The Town of Bristol provides a short-term disability insurance plan through The Standard at no cost to the employees. Eligible employees include:

- Regular full-time

The Town of Bristol pays 100% of the employees' salary-based premiums per month from the General, Water, and Sewer Fund, in the following amounts:

- Employee (1) - \$15.84
- Employee (1) - \$21.16
- Employee (1) - \$23.32
- Employee (1) - \$24.86
- Employees (2) - \$26.24
- Employees (3) - \$26.40
- Employee (1) - \$27.92
- Employee (1) - \$28.56
- Employee (1) - \$28.98
- Employee (1) - \$28.21
- Employee (1) - \$29.19
- Employee (1) - \$31.42

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- Employee (1) - \$32.63
- Employees (6) - \$33.00

The renewal date for short-term disability insurance is on January 1, 2025, and there may or may not be an increase in the premium totals after this date.

Employees may be eligible for short-term disability insurance on the first day of the month following 30-days of employment. Employer Paid Short Term - Elimination Period (Accident) – 0 days & Elimination Period (Sickness) – 7 days. Eligible employees may participate in the short-term disability insurance plan for one event each year. Benefits begin on the seventh day after the onset of a qualifying disability and may continue for up to 26-weeks at a rate of 60 percent of the eligible employee’s pre-disability wages. The benefit may be reduced by other income benefits, disability earnings, and the employee’s costs related to insurance benefits. All wages for short-term disability will be paid from the employee’s budget lines as stated in the 2025 Base Pay Rate Schedule.

Refer to the Town of Bristol Employee Handbook for additional information on short-term disability insurance offered by the Town of Bristol.

Voluntary Benefits

The Town of Bristol offers eligible regular full-time employees upon their date of hire to elect to participate in voluntary benefits from Vimly Benefit Solutions, through the AIM Medical Trust benefits, to include:

- Life Insurance
- Accidental Death and Dismemberment (AD&D) Insurance

The employee is responsible for paying the full biweekly premium and premiums are dependent upon which benefit is elected. The Town of Bristol does not contribute to the premium of any of the benefits as elected. Refer to the Plan Document for additional information on voluntary benefits.

NationWide Retirement Plans – Civilian Employees and Police Department Sworn Officers

Civilian Employees

NationWide 457 and 401(a) plans offer eligible employees of the Town of Bristol a voluntary way to Save for their retirement through tax-deferred contributions to their own individual accounts. Eligible employees include:

- Regular full-time employees
- Regular part-time employees

Eligible employees may participate in the 457(b)-retirement savings plan or a Roth IRA plan from their first day of employment.

Upon hire and during an employee’s first anniversary year, the Town of Bristol will give a \$1,500.00 match to the full-time employee and \$750.00 to the part-time employee if they contribute to the 457(b)-retirement savings plan or a Roth IRA from the General Fund. This match will be deposited into the employee’s 401(a) account, divided into 26 or 27 bi-weekly amounts, given the particular year.

After an employee’s first anniversary, the Town will contribute \$2,000.00 to the full-time employee’s 401(a) account and \$1,000.00 to the part-time employee’s account, divided into equal bi-weekly portions for the remainder of the calendar year from the General Fund. Each subsequent calendar year, the Town will contribute \$2,000 to the full-time employee’s 401(a) account and

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\$1,000 to the part-time employee’s account, divided into 26 or 27 bi-weekly amounts, given the particular year.

Police Department – Sworn Officers

Upon hire and during an employee’s first anniversary year, the Town of Bristol will give a \$1,500.00 match to the full-time employee and \$750.00 to the part-time employee if they contribute to the 457(b)-retirement savings plan or a Roth IRA from the General Fund. This match will be deposited into the employee’s 401(a) account, divided into 26 or 27 bi-weekly amounts, given the particular year.

After an employee’s first anniversary, the Town will contribute \$3,000.00 to the full-time employee’s 401(a) account and \$2,000.00 to the part-time employee’s account, divided into equal bi-weekly portions for the remainder of the calendar year from the General Fund. Each subsequent calendar year, the Town will contribute \$3,000 to the full-time employee’s 401(a) account and \$2,000 to the part-time employee’s account, divided into 26 or 27 bi-weekly amounts, given the particular year.

The Clerk-Treasurer has been appointed as the administrator of the Plan and is authorized to make deductions from the pay of employees who voluntarily participate, and to make such other arrangements as are necessary to implement the plan. The Town of Bristol bears the incidental expense of collecting the employees’ deferrals and other minor administrative expenses.

Refer to the Summary Plan Description (SPD) document for additional information on retirement savings benefits offered by the Town of Bristol.

Vacation Benefits

Vacation benefits with pay are available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Elected officials are exempt from vacation benefits. Employees in the following employment classification(s) are eligible to earn and use vacation benefits as described in this policy:

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

The amount of vacation benefits that employees receive each year increases with the length of their employment as shown in the following schedule:

Years of Continuous Service	Number of Vacation Hours Earned by Full-Time Employees	Number of Vacation Hours Earned by Part-Time Employees
Upon hire or transfer into an eligible employment classification	One-day (eight-hours) for every two-months (five-days or 40-hour maximum)	One-half day (four-hours) for every two-months (2.5 days or 20-hour maximum)
On January 1 st after an employee’s first anniversary	Five-days (40-hours)	Two and one-half days (20-hours)
On the second January 1 st through the fourth January 1 st	Ten-days (80-hours)	Five-days (40-hours)
On January 1 st of years five through nine	15-days (120-hours)	Seven and one-half days (60-hours)
On January 1 st in year ten and thereafter	20-days (160-hours)	Ten-days (80-hours)

Nonexempt employees may use vacation benefits in minimum increments of 15-minutes. Exempt employees may use vacation benefits in minimum increments of four-hours. Vacation benefits are credited for all years of continuous service for eligible employees who are on an active pay status. Vacation benefits are not earned while an employee is in a non-paid status, e.g., leave under the Family and Medical Leave Act (FMLA).

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In the event that available vacation is not used by the end of the calendar year, the unused time will be forfeited. In certain situations, the Town Council may approve an extension of up to 40- hours of vacation benefits to be carried over into the next year to be used within the first 30-days of that year. Newly hired employees may carry over up to 40-hours of vacation benefits into the next year, but it must be used within the first 30-days of that year.

Upon voluntary termination of employment, employees will be paid for unused vacation benefits that have been earned through the last day of work. Upon involuntary termination of employment, employees will not be paid for unused vacation benefits that have been earned through the last day of work.

Vacation benefits are paid at the employee's base pay rate at the time of the day off times the number of hours the employee would normally have worked on that day. Vacation benefits are not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on vacation benefits.

Personal Leave Time (PLT) Benefits

The Town of Bristol provides personal leave time (PLT) to all eligible employees for periods of temporary absence due to illnesses, injuries, or to take care of personal matters. Eligible employee classification(s):

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

Newly hired eligible full-time employees will receive PLT at the rate of one working day (eight- hours) for every four months of employment (January 1, May 1, and September 1). Newly hired eligible part-time employees will receive PLT at the rate of four hours for every four months of employment. All other employees will receive five (5) PLT days on January 1st of each year. Employees will not receive PLT if they are on unpaid leave, or on a disability leave.

PLT may be used in one-half day increments. In the event that available PLT is not used by the end of the calendar year, it may be carried over to be used by the end of the following calendar year, or it will be paid out. Upon termination of employment, employees will not be paid for unused PLT that has been earned through the last day of work.

PLT is paid at the employee's base pay rate at the time of the day off times the number of hours the employee would normally have worked on that day. PLT is not considered hours worked for purposes of performing overtime calculations.

In the event that available PLT is not used by the end of the calendar year, full-time employees may carry over four-days and part-time employees may carry over one-half that amount to be used by the end of the following calendar year. Upon termination of employment, employees will not be paid for unused PLT that has been earned through their last day of work.

Refer to the Town of Bristol Employee Handbook for additional information on personal leave time (PLT) benefits.

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Holidays

The Town of Bristol may grant paid holidays to all eligible employees. Eligible employee classification(s) include:

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

Paid holidays in 2025 include the following:

Holiday	Date
New Year's Day	01/01/2025
Martin Luther King Jr. Day	01/20/2025
Presidents Day	02/17/2025
Memorial Day	05/26/2025
Independence Day	07/04/2025
Labor Day	09/01/2025
Columbus Day	10/13/2025
Veterans Day	11/11/2025
Thanksgiving Day	11/27/2025
Day after Thanksgiving	11/28/2025
Christmas Eve Day	12/24/2025
Christmas Day	12/25/2025
New Year's Eve Day	12/31/2025

Newly hired employees are eligible to receive holiday pay as soon as their employment begins.

The holiday schedule is determined by the Town Council. However, the holiday schedule may be amended by a Department Head, with written notice distributed to all departments within the municipality. If the holiday falls on a Sunday, it will be observed on the following Monday. If a holiday falls on a Saturday, it will be observed on the preceding Friday.

If a recognized holiday falls during an eligible employee's approved paid absence such as vacation or personal leave time, holiday pay will be provided instead of the paid time off benefit that would otherwise have applied. If an employee is absent without authorization on the workday preceding or following a holiday will not receive holiday pay. An employee scheduled to return from an unpaid leave on the day after a holiday, or whose leave without pay is approved through the end of the last business day preceding a holiday will not be paid for the holiday.

All eligible civilian full-time nonexempt employees will receive the day off of work on the holiday and holiday pay for that day off of work. Eligible civilian full-time employees who work on a recognized holiday will receive holiday pay plus wages at a rate of time and one-half for all hours worked on the holiday.

All eligible full-time nonexempt sworn-in Police Officers, whether or not they work on the holiday, will receive holiday pay for eight-hours at a rate of time and one-quarter their regular rate of pay. If eligible Police Officers work on the holiday, they will receive the holiday pay plus wages at their regular rate of pay for all hours worked on the holiday. Overtime compensation for Police Officers will be paid in accordance with federal and state wage and hour laws.

Paid time off for holidays is paid at the employee's base pay rate at the time of the day off. A holiday is considered an eight-hour day for civilian full-time employees and a four-hour day for civilian part-time employees. Paid time off for holidays is not considered hours worked for purposes of performing overtime calculations.

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Refer to the Town of Bristol Employee Handbook for additional information on holidays.

Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately. Employees in the following categories are eligible for bereavement leave:

- Regular full-time employees
- Regular part-time employees who work 30 or more hours per week

Up to five consecutive days of paid bereavement leave may be provided to eligible employees in the event of the death of a spouse, child, parent or parent-in-law, sibling, grandparent or another resident of the employee's household. In the event of the death of a family member not listed above, an employee may use vacation or personal leave time to cover the absence. In extenuating circumstances, a Department Head may approve an extended bereavement leave.

Bereavement leave is paid at the employee's base pay rate at the time of the day off. One day of bereavement leave is considered an eight-hour day for full-time employees and a four-hour day for part-time employees. Paid time off for bereavement leave is not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on bereavement leave.

Jury Duty

Employees may request up to one-week of paid jury duty leave each time they receive a jury duty summons. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees
- Temporary/seasonal employees

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. The employee shall turn in any compensation received for the jury duty, or employees may request vacation, or personal leave time and retain any compensation earned for jury duty.

Jury duty is paid at the employee's base pay rate at the time of the day off times the number of hours the employee would normally have worked on that day and is not considered hours worked for purposes of performing overtime calculations.

Refer to the Town of Bristol Employee Handbook for additional information on jury duty.

Witness Duty

If a civilian employee has been subpoenaed or otherwise requested to testify as witnesses by the Town of Bristol, they will receive paid time for the entire period of witness duty. Any employee who is called to testify in court by the Town of Bristol will be paid his or her normal rate of pay for the time expended. Police officers who have been subpoenaed will receive paid time for the entire period of witness duty plus one hour of preparation time.

Employees will be granted time off to appear as a witness when requested by a party in a court of law when subpoenaed to do so other than by the Town of Bristol. Employees may utilize any available vacation, personal leave time, or compensatory time to receive compensation for the period of the absence, however, are not required to do so.

Refer to the Town of Bristol Employee Handbook for additional information on witness duty.

TOWN OF BRISTOL, INDIANA
Amendment ORD. NO. 03-06-2025-5
SALARY ORDINANCE NO. 12-19-2024-28

Time Off to Vote

Generally, employees can find time to vote either before or after their regular work schedule. If nonexempt employees are unable to vote in an election during their nonworking hours, the Town of Bristol may grant unpaid time off to vote.

Refer to the Town of Bristol Employee Handbook for additional information on time off to vote.

Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable. Employees will continue to receive full pay while on leave for 15-day training assignments and shorter absences. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any available vacation, or personal leave time for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, personal leave time, or holidays, etc., will be suspended during the leave after the first 30-days and will resume upon the employee's return to active employment.

Refer to the Town of Bristol Employee Handbook for additional information on military leave.

Business Travel Expense Policy

The Town of Bristol may reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the Town Marshal, the Clerk-Treasurer, or the Town Manager. Civilian employees whose travel plans have been approved are responsible for making their own travel arrangements. Arrangements for police officers will be made by the Police Department.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives may be reimbursed by the Town of Bristol. Employees are expected to limit expenses to reasonable amounts. Expenses that generally will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Car rental fees, only for compact or mid-sized cars.
- Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- Taxi, Uber, or Lyft fares, only when there is no less expensive alternative.
- Mileage costs for use of personal vehicles, only when less expensive transportation is not available, and payable at the current IRS rate cents per mile, provided the employee demonstrates proof that he or she carries motor vehicle liability insurance as required by law. No mileage reimbursement will be made for travel between an employee's home and their workplace.
- Parking costs and highway-related tolls when an employee is entitled to claim reimbursement for mileage (see above).
- Cost of standard accommodations in low to mid-priced hotels, or similar lodgings, to include room costs, associated local taxes, and necessary business-related charges.
- Reimbursement for meals at a rate of \$45.00 per diem per day.
- The Town of Bristol will not reimburse employees for the purchase of alcoholic beverages under any circumstance.

TOWN OF BRISTOL, INDIANA
Amendment ORD. NO. 03-06-2025-5
SALARY ORDINANCE NO. 12-19-2024-28

- Tips not exceeding 15% of the total cost of a meal or 10% of a ground transportation fare.
- Charges for telephone calls, fax, and similar services required for business purposes.

Personal expenses incurred in traveling are not reimbursable, including but not limited to room service, personal telephone calls, laundry, entertainment, in-room movies, and alcoholic beverages.

Per diem rates paid in advance or by reimbursement on a claim form must document the name of the employee, the date(s) for reimbursement, and additional details, as required.

When travel is completed, employees should submit completed travel expense reports to include itemized receipts or other proper documentation, approved by his or her Department Head of the actual expenses incurred to the Clerk-Treasurer. Employees should contact their Department Head for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues. The Town Council in its absolute and sole discretion shall make the final determination as to whether any such claim(s) will be paid.

Refer to the Town of Bristol Employee Handbook for additional information on business and travel expenses.

**PASSED by the Town Council of the Town of Bristol, Elkhart County, Indiana, this
___ day of March 2025**

YAY

NAY

_____ Jeff Beachy, Pres. _____

_____ Cathy Burke _____

_____ Gregg Tuholski _____

_____ Doug DeSmith _____

_____ Raymond D Rentfrow _____

ATTEST: _____
Cathy Antonelli, Clerk-Treasurer, Town of Bristol, Indiana

TOWN OF BRISTOL, INDIANA
Amendment ORD. NO. 03-06-2025-5
SALARY ORDINANCE NO. 12-19-2024-28

Appendix #1 - Tenure Incentive Pay (TIP)
Full-Time Sworn Law Enforcement Compensation Matrix

Table with 14 columns (Year(s) of service 1-13) and 23 rows (1 Point to 23 Points). Shows salary progression from \$200.00 to \$3,500.00.

Table with 13 columns (Year(s) of service 14-25+) and 23 rows (1 Point to 23 Points). Shows salary progression from \$1,400.00 to \$4,700.00.

Summary table for Rank, Education, and Specialized Training. Rank: Police Officer, Corporal, Sergeant, Detective, Chief Deputy, Marshal. Education: AA, BS/BA, MA, Ph.D. Specialized Training: 1 Week, 2 Weeks, 3-10 Weeks, 10-20 Weeks.

TOWN OF BRISTOL, INDIANA
Amendment ORD. NO. 03-06-2025-5
SALARY ORDINANCE NO. 12-19-2024-28

Section 7, Item c.

SRF Disbursement Request Form

Section 7, Item d.

Participant Information							
Name:	Town of Bristol Water Utility	SRF Loan Number:	DW22282001				
UEI #:	NF35QSFKCC57	Cage Code:	870T8	Request Number:	16		
Mailing Address:	PO Box 122						
City:	Bristol	State:	IN	ZIP Code:	46507-9489		
Contact Person:	Mr. Mike Yoder		Contact Phone Number:	574-848-4853			
Authorized Representative:	Ms. Cathy Antonelli		Authorized Representative Phone Number:	574-848-7007			
If requesting reimbursement to the Participant by wire transfer please provide the following information:							
Bank Name:			Bank Routing Number:				
Account Name:			Account Number:				
Loan Information							
Description of work for which claim is being made (services, fees, type of work, etc.):		Engineering Fees					
Is any part of this claim funded by an alternate funding source?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If yes, please identify the source and amount of the claim funded by the alternate source (OCRA, SAP, Local							\$
Is any part of this claim funded by the Indiana Brownfields Program?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Has the Participant paid the request and is now seeking reimbursement?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Is any part of this claim a result of a change order? If yes, please attach the SRF change order approval letter.							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Are there Green Project Reserve components involved in this request? If yes, please describe:							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Are there any Lead Line replacement components in this request?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Loan Financial Information							
Original Loan Amount:						\$	15,709,000
Total Amount of Previous Disbursements:						\$	2,590,877
Balance Available After this Disbursement:						\$	13,094,266
Amount to Contractor for this Request:						\$	23,857
Is any part of this request a partial or final release of retainage to the contractor?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Contractor Name:	Jones Petrie Rafinski		DUNS #:				
Mailing address:	325 S Lafayette Blvd						
City:	South Bend	State:	IN	ZIP Code:	46601		
Wiring Information:							
Bank Name:	1 st Source Bank		Bank Routing Number:	071212128			
Account Name:	Jones Petrie Rafinski		Account Number:	10001519			
Retainage Amount for this Request:						\$	0
Participant requests that the retainage amount be held by SRF:							<input type="checkbox"/>
Participant requests that the retainage amount be sent to the Participant via check to the mailing address listed above:							<input type="checkbox"/>
Participant requests that the retainage amount be sent to the following bank:							<input type="checkbox"/>
Bank Name:			Bank Routing Number:				
Account Name:			Account Number:				
Total Amount of this Request:						\$	23,857
The undersigned hereby certifies this request for disbursement is, to the best of my knowledge and belief, true and accurate and made in accordance with the conditions of the project agreement(s), that the certified payrolls received in connection with any enclosed construction invoices are in compliance with the Davis Bacon Act / US Department of Labor requirements of 29 CFR 5.5(a)(1), and are in compliance with SRF incentive programs.							
Authorized Representative Signature:						Date:	
For Internal Use Only:							
Approved By:		Date:		GPR Amount:	\$	Lead Amount:	\$



South Bend & Fort Wayne / www.jpri1source.com

Civil Engineering / Architecture / Landscape Architecture / Land Surveying
 Planning / GIS Consulting / Environmental / Utility Management

Town of Bristol
 303 E. Vistula St.
 Bristol, IN 46507

January 31, 2025

Project No: 2023-00005

Invoice No: 0050604

Due Date: March 02, 2025

Invoice Total	23,856.87
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Project 2023-00005 Water System Improvements

Professional Services from January 01, 2025 to January 31, 2025

Phase 001 101 - Study & Report

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Study & Report	30,000.00	100.00	30,000.00	30,000.00	0.00
Preliminary Design	560,000.00	100.00	560,000.00	560,000.00	0.00
Final Design	300,000.00	100.00	300,000.00	300,000.00	0.00
Bidding	51,000.00	100.00	51,000.00	51,000.00	0.00
Construction Admin	324,000.00	32.2181	104,386.76	85,798.01	18,588.75
Post Construction Services	60,000.00	0.00	0.00	0.00	0.00
RPR (Inspection)	391,000.00	15.3517	60,025.00	55,605.00	4,420.00
Es'mt & Land Acquisition Assistance	135,000.00	32.4067	43,748.98	43,748.98	0.00
Total Fee	1,851,000.00		1,149,160.74	1,126,151.99	23,008.75
	Total Fee				23,008.75
			Total this Phase		23,008.75

Phase 009 109 - Direct Expenses

Reimbursable Expenses

Short Elliott Hendrickson, Inc.

1/21/2025	Short Elliott Hendrickson, Inc.	Observ Services	848.12	
	Total Reimbursables		848.12	848.12

Total this Phase 848.12

Total this Invoice 23,856.87

Please remit all payments to **Jones Petrie Rafinski Corp. 325 S. Lafayette Blvd. South Bend, IN 46601.**

If you have any questions or would like to pay via ACH or credit card please call 574-232-4388 or email us at accounting@jpri1source.com.

SERVICE CHARGE: A delinquency charge of 1.5% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.

We appreciate the opportunity to be of service!

Outstanding Invoices

Number	Date	Balance
0050355	11/30/2024	31,462.36
0050406	12/31/2024	18,919.75
Total		50,382.11

Please remit all payments to **Jones Petrie Rafinski Corp. 325 S. Lafayette Blvd. South Bend, IN 46601.**
If you have any questions or would like to pay via ACH or credit card please call 574-232-4388 or email us at accounting@jpr1source.com.

SERVICE CHARGE: A delinquency charge of 1.5% per month (which is an ANNUAL PERCENTAGE RATE of 18%) will be added to all amounts not paid 30 days after invoice date.

We appreciate the opportunity to be of service!

SRF Disbursement Request Form

Section 7, Item d.

Participant Information							
Name:	Town of Bristol Water Utility	SRF Loan Number:	DW22282001				
UEI #:	NF35QSFKCC57	Cage Code:	870T8	Request Number:	15		
Mailing Address:	PO Box 122						
City:	Bristol	State:	IN	ZIP Code:	46507-9489		
Contact Person:	Mr. Mike Yoder		Contact Phone Number:	574-848-4853			
Authorized Representative:	Ms. Cathy Antonelli		Authorized Representative Phone Number:	574-848-7007			
If requesting reimbursement to the Participant by wire transfer please provide the following information:							
Bank Name:			Bank Routing Number:				
Account Name:			Account Number:				
Loan Information							
Description of work for which claim is being made (services, fees, type of work, etc.):		Construction Activities Pay Application 2					
Is any part of this claim funded by an alternate funding source?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
If yes, please identify the source and amount of the claim funded by the alternate source (OCRA, SAP, Local							\$
Is any part of this claim funded by the Indiana Brownfields Program?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Has the Participant paid the request and is now seeking reimbursement?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Is any part of this claim a result of a change order? If yes, please attach the SRF change order approval letter.							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Are there Green Project Reserve components involved in this request? If yes, please describe:							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Are there any Lead Line replacement components in this request?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Loan Financial Information							
Original Loan Amount:						\$	15,709,000
Total Amount of Previous Disbursements:						\$	2,508,939
Balance Available After this Disbursement:						\$	13,118,124
Amount to Contractor for this Request:						\$	81,938
Is any part of this request a partial or final release of retainage to the contractor?							<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Contractor Name:	Phoenix Fabricators and Erectors, LLC		DUNS #:				
Mailing address:	182 S County Road 900 East						
City:	Avon	State:	IN	ZIP Code:	46123		
Wiring Information:							
Bank Name:	Enterprise Bank & Trust		Bank Routing Number:	081006162			
Account Name:	Phoenix Fabricators and Erectors, LLC		Account Number:	1937516			
Retainage Amount for this Request:						\$	4,313
Participant requests that the retainage amount be held by SRF:							<input checked="" type="checkbox"/>
Participant requests that the retainage amount be sent to the Participant via check to the mailing address listed above:							<input type="checkbox"/>
Participant requests that the retainage amount be sent to the following bank:							<input type="checkbox"/>
Bank Name:			Bank Routing Number:				
Account Name:			Account Number:				
Total Amount of this Request:						\$	81,938
The undersigned hereby certifies this request for disbursement is, to the best of my knowledge and belief, true and accurate and made in accordance with the conditions of the project agreement(s), that the certified payrolls received in connection with any enclosed construction invoices are in compliance with the Davis Bacon Act / US Department of Labor requirements of 29 CFR 5.5(a)(1), and are in compliance with SRF incentive programs.							
Authorized Representative Signature:						Date:	
For Internal Use Only:							
Approved By:		Date:		GPR Amount:	\$	Lead Amount:	\$

Revised on July 1, 2021

Contractor's Application for Payment

Owner:	<u>Town of Bristol</u>	Owner's Project No.:	<u>n/a</u>
Engineer:	<u>Jones Petrie Rafinski, Corp.</u>	Engineer's Project No.:	<u>2023-0005</u>
Contractor:	<u>Phoenix Fabricators & Erectors, LLC</u>	Contractor's Project No.:	<u>4030</u>
Project:	<u>Water System Improvements Project</u>		
Contract:	<u>Contract B - Water Tower Construction</u>		
Application No.:	<u>TWO</u>	Application Date:	<u>1/31/2025</u>
Application Period:	From <u>10/1/2024</u>	to	<u>1/31/2025</u>

1. Original Contract Price	\$ 5,750,000.00
2. Net change by Change Orders	\$ -
3. Current Contract Price (Line 1 + Line 2)	\$ 5,750,000.00
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 258,250.00
5. Retainage	
a. <u>5%</u> X \$ <u>258,250.00</u> Work Completed	\$ 12,912.50
b. <u>5%</u> X \$ <u>-</u> Stored Materials	\$ -
c. Total Retainage (Line 5.a + Line 5.b)	\$ 12,912.50
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 245,337.50
7. Less previous payments (Line 6 from prior application)	\$ 163,400.00
8. Amount due this application	\$ 81,937.50
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5c)	\$ 5,504,662.50

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Phoenix Fabricators & Erectors, LLC

Signature: *Noelle Awsky* **Date:** 1/31/2025

Recommended by Engineer	Approved by Owner
By: <u><i>JF</i></u>	By: _____
Title: <u>Senior Project Engineer</u>	Title: _____
Date: <u>2025-02-11</u>	Date: _____

Approved by Funding Agency	
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

Total number of weather days for project: 0

Progress Estimate - Lump Sum Work

Contractor's Application for Payment

Owner:	Town of Bristol	Owner's Project No.:	n/a
Engineer:	Jones Petrie Rafinski, Corp.	Engineer's Project No.:	2023-0005
Contractor:	Phoenix Fabricators & Erectors, LLC	Contractor's Project No.:	4030
Project:	Water System Improvements Project		
Contract:	Contract B - Water Tower Construction		

Application No.: TWO Application Period: From 10/01/24 to 01/31/25 Application Date: 01/31/25

A Item No.	B Description	C Scheduled Value (\$)	D + E Work Completed		F Materials Currently Stored (not in D or E) (\$)	G Work Completed and Materials Stored to Date (D + E + F) (\$)	H % of Scheduled Value (G / C) (%)	I Balance to Finish (C - G) (\$)
			(D + E) From Previous Application (\$)	This Period (\$)				
Original Contract								
1	PROPOSED WATER TOWER CONSTRUCTION							
1.1	ENGINEERING	345,000.00	-	86,250.00		86,250.00	25%	258,750.00
1.2	PILES / DEEP FOUNDATION	335,000.00	-	-		-	0%	335,000.00
1.3	FOUNDATION	908,000.00	-	-		-	0%	908,000.00
1.4	YARD PIPING	200,000.00	-	-		-	0%	200,000.00
1.5	TANK SHAFT	1,026,000.00	-	-		-	0%	1,026,000.00
1.6	TANK MATERIAL / SHOP FABRICATION	582,000.00	-	-		-	0%	582,000.00
1.7	TANK DELIVERY	38,000.00	-	-		-	0%	38,000.00
1.8	TANK ERECTION	456,000.00	-	-		-	0%	456,000.00
1.9	TANK PAINTING	298,000.00	-	-		-	0%	298,000.00
2	EXISTING WATER TOWER DEMOLITION	120,000.00	-	-		-	0%	120,000.00
3	DEWATERING	65,000.00	-	-		-	0%	65,000.00
4	WATER TOWER INTERIOR IMPROVEMENTS	504,500.00	-	-		-	0%	504,500.00
4.1	TANK MIXING SYSTEM	12,500.00	-	-		-	0%	12,500.00
4.2	ELECTRICAL / CONTROLS	231,000.00	-	-		-	0%	231,000.00
4.3	DISINFECTION / TESTING / STARTUP	2,000.00	-	-		-	0%	2,000.00
5	EXISTING TOWER SITE RESTORATION	45,000.00	-	-		-	0%	45,000.00
6	FREEDOM POWDER SITE IMPROVEMENTS	220,000.00	-	-		-	0%	220,000.00
7	FREEDOM POWDER SITE RESTORATION	75,000.00	-	-		-	0%	75,000.00
8	MOBILIZATION / DEMOBILIZATION	115,000.00	-	-		-	0%	115,000.00
8.1	BONDS / INSURANCE	172,000.00	172,000.00	-		172,000.00	100%	-
Original Contract Totals		\$ 5,750,000.00	\$ 172,000.00	\$ 86,250.00	\$ -	\$ 258,250.00	4%	\$ 5,491,750.00
Change Orders								
							0%	-
							0%	-
							0%	-
Change Order Totals		\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Original Contract and Change Orders								
Project Totals		\$ 5,750,000.00	\$ 172,000.00	\$ 86,250.00	\$ -	\$ 258,250.00	4%	\$ 5,491,750.00

Total number of weather days for project: 0

Ordinance No. 3.6.2025-4

Additional Appropriation Ordinance

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the 2025 annual budget,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purpose specified, subject to laws governing the same:

PASSED AND ADOPTED by the Town Council of the Town of Bristol, Indiana, on this 6th day of March, 2025.

Increase:

FUND #	Appropriation #	Amount	Reason
2410 ARP	2410-001-421	\$121,634.37	Water structure improvements
2599 ALT ROUTE	2599-001-450	\$117,639.55	Business route expenses
4651-GO BOND	4651-001-316	\$1,128,482.59	Fire truck and street lights

Grand total: \$1,367,756.51

BRISTOL TOWN COUNCIL TOWN OF BRISTOL, INDIANA

By _____
Jeff Beachy, President

By _____
Doug DeSmith

By _____
Cathy Burke

By _____
Dean Rentfrow

ATTEST:

By _____
Gregg Tuholski

Cathy Antonelli, Clerk-Treasurer

ORDINANCE NO. 3-20-2025-5

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BRISTOL, INDIANA AMENDING CHAPTER 53 OF THE TOWN OF BRISTOL, INDIANA CODE OF ORDINANCES REGARDING STORMWATER MANAGEMENT AND REGULATIONS

WHEREAS, the Town of Bristol, Indiana (the “Town”) is a duly formed municipal corporation within the State of Indiana governed by its duly elected Town Council (the “Council”); and

WHEREAS, the Town previously adopted Ordinance 6-15-06A, as amended, to address stormwater management and promote and protect the public health and welfare of the Town; and

WHEREAS, in 2021, the Indiana Department of Environmental Management (“IDEM”) formally replaced 327 IAC 15-5 (Rule 5) with a new General Permit known as the Construction Stormwater General Permit No. INRA00000 (“CSGP”) and formally replaced 327 IAC 15-13 (Rule 13) with a new Municipal Separate Storm Sewer General Permit No. INR040000 (“MS4 GP”) (collectively the “General Permits”); and

WHEREAS regulated Indiana MS4 entities, such as the Town, are required to update existing ordinances, administrative rules, and other regulatory mechanisms to comply with these two (2) new General Permits; and

WHEREAS the Town has an ongoing partnership with the Elkhart County Soil & Water Conservation District (the “County”) to cooperatively manage and administer stormwater discharges within the Town’s MS4 boundaries, said boundaries situated within the boundaries of the Greater Elkhart County MS4 designated by IDEM; and

WHEREAS the County Commissioners adopted Ordinance No. 2024-09 on March 4, 2024, known as the “Elkhart County Stormwater Management Ordinance” in response to the CSGP and MS4 GP local ordinance requirements published by IDEM in 2021; and

WHEREAS the County Commissioners also adopted Ordinance No. 2024-15 on July 15, 2024, known as “An Ordinance of the County of Elkhart, Indiana Adopting the 2024 Street Standards” to, in part, provide drainage design standards for all proposed land developments in the County; and

WHEREAS, the Town, after giving due consideration to the new General Permits, has determined it necessary to review and update stormwater management under Title V, Chapter 53 of the Town Code of Ordinances (the “Code”).

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Bristol, Indiana, meeting in regular session, as follows:

- Section 1. The foregoing Recitals are incorporated herein by this reference.
- Section 2. As of the effective date of this Ordinance, Chapter 53 of the Code is hereby deleted and replaced in its entirety by new Chapter 53, known and cited as the “Town of Bristol Storm Water Stormwater Management Ordinance,” as set forth on Exhibit A attached hereto and incorporated herein.
- Section 3. The remaining portions of Chapter 53 of the Code are not affected by this Ordinance and shall remain in full force and effect.
- Section 4. All ordinances and parts of ordinances, and all Titles, Chapters and/or Sections of the Code that conflict with the provisions contained herein are hereby specifically repealed as of the effective date of this Ordinance.
- Section 5. If any portion on this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of the same can be given the same effect.
- Section 6. This Ordinance shall be in full force and effect from and after its adoption in accordance with Indiana Law, and upon passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All acts pursuant to the adoption of this Ordinance are hereby ratified.

* * * * *

ADOPTED THIS ____ DAY OF _____, 2025.

TOWN COUNCIL OF THE
TOWN OF BRISTOL, INDIANA

Jeff Beachy, President

Cathy Burke

Dean Rentfrow

Gregg Tuholski

Doug DeSmith

ATTEST:

Cathy Antonelli, Clerk-Treasurer

EXHIBIT A

This Ordinance shall be known and may be cited as the “Town of Bristol ~~Storm-Water~~ Stormwater Management Ordinance” as follows (added or amended text in red. Deleted text with ~~strikethrough~~):

**CHAPTER 53: STORM WATER
STORMWATER MANAGEMENT AND REGULATIONS**

§ 53.01 ~~STORM-WATER~~ STORMWATER UTILITY ADOPTED BY REFERENCE.

Pursuant to I.C. 8-1.5-5-1, the Town does hereby adopt the ~~storm-water~~ stormwater utility provisions of I.C. 8- 1.5-5 *et seq.*
(Ord. 6-15-06A, passed 6-15-06)

§ 53.02 ~~STORM-WATER~~ STORMWATER MANAGEMENT.

(A) Established. Pursuant to I.C. 8-1.5-5-4.5, the Department of ~~Storm-Water~~ Stormwater Management is hereby established.

(B) Board. The Department of ~~Storm-Water~~ Stormwater Management shall be controlled by the Board ~~of Directors~~ consisting of three (3) Directors. The Directors shall serve a term of three (3) years. However, the initial terms of the Directors shall be one year for the first Director appointed, two (2) years for the second Director appointed, and three years for the third Director appointed so that the Directors shall serve staggered terms. The President of the Town Council shall appoint the Directors, not more than two of whom may be of the same political party. The Town Council President may remove a Director at any time when, in the judgment of the President, it is for the best interest of the Department of ~~Storm-Water~~ Stormwater Management.

(C) Special taxing district. Pursuant to the I.C. 8-1.5-5-5, a special taxing district including all the territory within the corporate boundaries of the ~~Town town~~ is hereby established.

(D) Governing provisions. Pursuant to the I.C. 8-1.5-5 *et seq.*, as amended from time to time, the Department of ~~Storm-Water~~ Stormwater Management shall be governed accordingly.

(E) Financial administration. The Town Clerk-Treasurer is hereby appointed as the fiscal agent for and authorized to administer the funds of the Department of ~~Storm-Water~~ Stormwater Management. (Ord. 6-15-06A, passed 6-15-06)

§ 53.03 DEFINITIONS.

For the purposes of this ~~sub~~chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. Board of the Town Department of ~~Storm-Water~~ Stormwater Management.

COUNTY. The County of Elkhart, Indiana and the Elkhart County Soil & Water

Conservation District.

CSGP. The State of Indiana’s Construction Stormwater General Permit No. INRA00000 issued on December 9, 2021 and as it may be amended from time to time.

DEPARTMENT. The Department of ~~Storm Water~~ Stormwater Management.

FACILITY. Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

GREATER ELKHART COUNTY MS4. The area designated by IDEM as a Municipal Separate Stormwater System (MS4) entity which is comprised of the City of Elkhart, City of Goshen, Town of Bristol, and certain unincorporated areas within Elkhart County and any areas that may be designated by IDEM in the future as an MS4 (e.g., City of Nappanee).

HAZARDOUS SUBSTANCES. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to a substantial present or potential hazard to: human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

IDEM. Indiana Department of Environmental Management.

ILLEGAL CONNECTION. Any drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the MS4 including, but not limited to any conveyances which allow any non-~~storm-water~~ stormwater discharge including sewage, process waste water, and wash water to enter the MS4 and any connections to the MS4 from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or, any drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

ILLICIT DISCHARGE. Any direct or indirect non-storm water discharge to the MS4, except as exempted in other provisions of this subchapter.

INTERESTED PERSON. The applicant for a stormwater clearance, the MS4 operator, the MS4 entities in the County, or any person adversely affected by stormwater clearance.

MS4. The Town of Bristol Municipal Separate Storm Sewer System.

MS4 PERMIT. The State of Indiana’s Municipal Separate Storm Sewer System General Permit No. INR04000 issued on December 9, 2021 and as it may be amended from time to time.

MULTI-LOT RESIDENTIAL DEVELOPMENT. A platted subdivision of land for residential development of multiple lots, together with its construction plans for infrastructure and its stormwater pollution prevention plans (SWP3), forming a residential project.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES). A permit issued by the EPA (or by a state under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

NON-STORM WATER DISCHARGE. Any discharge to the ~~storm-water~~, stormwater, storm drainage system, or MS4 that is not composed entirely of ~~storm-water~~ stormwater.

NOTICE OF INTENT (NOI). A notice required by the CSGP and containing information required by IDEM as described in the CSGP.

NOTICE OF TERMINATION (NOT). A notice issue by IDEM, informing a CSGP permittee that coverage under the CSGP has been terminated because discharges of stormwater associated with construction activity and land disturbance have ceased.

PERSON. Any individual, association, organization, partnership, firm, company, corporation or other entity recognized by law and acting as either the owner or as the owner's agent, ~~whether for-profit or not-for-profit~~.

POLLUTANT. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinance and accumulations, so that same may cause or contribute to pollution; floatable; (excluding naturally floatables such as leaves or tree limbs); pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

STORM-WATER STORMWATER DRAINAGE SYSTEM. All methods, natural or man-made, used for conveying ~~storm-water~~ stormwater to, through or from a drainage area to include any of the following: conduits and appurtenant features; canals; channels; ditches; streams; culverts; streets; or pumping stations.

STORM-WATER STORMWATER RUNOFF. The water derived from precipitation falling within a tributary basin, flowing over the surface of the ground or collected in channels or conduits. (Ord. 6-15-06B, passed 6-15-06)

TOWN. The Town of Bristol, Indiana.

§ 53.04 PURPOSE AND POLICY.

(A) *Purpose.* This subchapter provides for the regulation of ~~storm-water~~ stormwater by regulating the introduction of pollutants into the ~~town~~-MS4 in order to comply with the requirements of the NPDES permit process.

(B) *Policy.* The objectives of this subchapter are as follows:

(1) To conserve the natural hydrologic, hydraulic, water quality and other beneficial functions of watercourses, floodplains and wetlands;

(2) To regulate the contribution of pollutants to the ~~Town~~ MS4 by users;

(3) To prohibit illicit discharges and illegal connections to the ~~Town~~ MS4 and other waters; and

(4) To establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to obtain compliance with this subchapter. (Ord. 6-15-06B, passed 6-15-06)

§ 53.05 CONDUCT REGULATED.

(A) *Improper discharges.* No person shall directly or indirectly discharge, cause to be discharged, or permit to be discharged into the Town MS4 any discharge or materials including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards other than storm water.

(B) *Permitted activities.* Notwithstanding the prohibitions contained in this subchapter, the following activities or conditions are permitted even if such activities or conditions result in any discharge or materials entering the Town MS4:

- (1) Water line flushing or other potable water sources;
- (2) Landscape irrigation or lawn watering;
- (3) Diverted stream flows;
- (4) Rising ground water;
- (5) Ground water infiltration to storm drains;
- (6) Uncontaminated pumped ground water;
- (7) Foundation or footing drains (not including active ground water dewatering systems);
- (8) Crawl space pumps;
- (9) Air conditioning condensation;
- (10) Springs;
- (11) Noncommercial washing of vehicles;

(12) Natural riparian habitat or wetland flows;

(13) Swimming pools (if dechlorinated);

(14) **Firefighting** activities;

(15) Discharges specified by the Department as being necessary to protect public health or safety;

(16) Dye testing (verbal notification to the Department is required before test); and

(17) Any discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency or the Indiana Department of Environmental Management.

(C) *~~Improve~~ Improper connections.* No person shall directly or indirectly connect to any drain or conveyance or allow the continued connection of any drain or conveyance to the Town MS4 which allows any non-~~storm-water~~ **stormwater** discharge to enter the Town MS4 including but not necessarily limited to any sewage, process waste water, and wash water.

(D) *Suspended access.* No person may reinstate a Town MS4 access if that access has been suspended pursuant to this subchapter until such time as the suspension is lifted by the Department or a court of competent jurisdiction.

(E) *NPDES permits.*

(1) No person subject to an NPDES ~~storm-water~~ **stormwater** discharge permit shall allow or permit any discharge to enter the Town MS4 without complete compliance with the terms and conditions of the NPDES permit.

(2) No person subject to an NPDES ~~storm-water~~ **stormwater** discharge permit shall unreasonably delay the Department's access to a permitted facility.

(F) *Notification of releases.* No person who owns or operates any facility or operation, or who is responsible for the emergency response at any facility or operation, shall fail to notify the Department as soon as practicable of any unpermitted release of materials, discharges, or pollutants into storm water, the ~~storm-water~~ **stormwater** drainage system, the Town MS4, or any watercourse if such person has information that such release may have occurred.

(G) *Response to releases.* No person who owns or operates any facility or operation, or who is responsible for the emergency response at any facility or operation, shall fail to take all reasonable steps to ensure the discovery, containment, and cleanup of any unpermitted release. (Ord. 6-15-06B, passed 6-15-06)

§ 53.06 MONITORING OF DISCHARGES.

(A) *Inspections.* The Department shall be permitted to enter and inspect any facility or property that directly or indirectly discharges waters or materials into the Town MS4 or into any watercourse within the corporate limits of the ~~town~~ Town, even if only occasionally, as often as may be necessary to determine compliance with this subchapter. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the Department.

(B) *Access.* Facility operators and property owners shall allow the Department ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of the records that must be kept under the conditions of an NPDES permit to discharge ~~storm-water~~ stormwater, and the performance of any additional duties as defined by state and federal law.

(C) *Equipment.* The Department shall have the right to set up in any facility or on any property that has a permit to discharge into the Town MS4 such devices as are reasonably necessary to conduct monitoring and/or sampling of the ~~storm-water~~ stormwater discharge.

(D) *Monitoring.* The Department has the right to require the discharger to install monitoring equipment and to obtain and analyze storm water samples at any commercial or industrial facility or any property containing more than three residential units. The facility's or property's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure ~~storm-water~~ stormwater flow and quality shall be calibrated to ensure their accuracy.

(E) *Removal of obstructions.* Any temporary or permanent obstruction to safe and easy access to the facility or property to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Department and shall not be replaced if so requested. The costs of clearing such access shall be borne by the operator.

(F) *Search warrant.* If the Department has been refused access to any part of the premises from which ~~storm-water~~ stormwater is discharged, and the Department is able to demonstrate probable cause to believe that there may be a violation of this subchapter, or that there is a need to inspect and/or sample as part of a routine inspection or sampling program designed to verify compliance with this subchapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, the Department may seek issuance of a search warrant from any court of competent jurisdiction within the county. (Ord. 6-15-06B, passed 6-15-06)

§ 53.07 NOTIFICATION OF SPILLS.

(A) *Notification of illicit discharges.* Any person who owns or operates a facility or operation or who is responsible for the emergency response for a facility or operation shall immediately inform the Department of a known or suspected release of materials which may result

in an illicit discharge by contacting the Department if such a release occurs within normal business hours and if not occurring within normal business hours by informing emergency dispatch services.

(B) *Response to illicit discharges.* As soon as any person who owns or operates a facility or operation or who is responsible for the emergency response for a facility or operation has information of a known or suspected release of materials which may result in an illicit discharge, such person shall take all necessary steps to contain and clean up the release.

(C) *Records.* If a discharge results in an illicit discharge, and the discharge emanates from a commercial or industrial establishment, the owner or operator of the establishment shall retain written record of the discharge, action taken to contain and clean up the discharge, and actions taken to ensure that such discharge does not occur again. (Ord. 6-15-06B, passed 6-15-06)

§ 53.08 ENFORCEMENT.

(A) *Notice of violation.*

(1) Whenever the Department finds that a person has committed a prohibited act or failed to meet the requirements of this subchapter, the Department may take one or more of the following actions:

(a) Notify the person who committed the act or failed to meet the requirements of the subchapter by telephone and request compliance or cessation of the prohibited act.

(b) Notify the person who committed the act or failed to meet the requirements of this subchapter in writing and order compliance or cessation of the prohibited act.

(c) Enter into an agreed order with the approval of the Board which order may include payment of a fine by the violator.

(d) File a notice of violation before the Board describing the violation of this subchapter found by the Department.

(e) File a complaint in a court of competent jurisdiction seeking a judicial determination that this subchapter has been violated and requesting the imposition of fines and ordering compliance with the violated provisions of this subchapter.

(2) If the Department takes any authorized action and taking such action does not result in compliance with this subchapter, the Department may take any other authorized action to obtain compliance.

(3) The Department may file a complaint with a court of competent jurisdiction to

enforce the terms of an agreed order or an order of the Board.

(B) Right to enter premises.

(1) The Department shall have the right to enter any premises for any of the following reasons:

(a) Investigate a suspected spill or discharge into the storm water or Town MS4;

(b) To carry out routine inspections;

(c) To carry out routine sampling; or

(d) To verify compliance with any agreed order, order of the Board, or order of any court of competent jurisdiction.

(e) Entry shall be first attempted by seeking consent of occupant or owner.

(2) If the Department has been refused access to any part of the premises from which ~~storm-water~~ stormwater is discharged and the Department is able to reasonably demonstrate to a court of competent jurisdiction that there may be a violation of this ~~sub~~ subchapter or that there is a need to inspect or sample as part of the Department's routine inspections and sampling program, the court may grant an order allowing Department access to all relevant parts of a premises.

(3) Any written notice of violation shall be issued upon the responsible party by regular U.S. mail or delivered personally to the responsible party unless the applicable ordinance or statute requires different written notice.

(C) Board hearing.

(1) Before any Board hearing is held, a party alleged to have violated this subchapter shall receive written notice of the violation including the nature of the violation and a summary of the facts that constitute that violation. In the event of an emergency hearing before the Board, this information may be orally presented to the affected party and the affected party may elect to proceed or the affected party may insist on written notice and delay the hearing. The emergency action taken by the Department shall continue until a hearing can be held.

(2) A party alleged to have violated this subchapter has the right to have an attorney present to cross examine witnesses and has the right to present evidence and have witnesses testify.

(3) A party found to have violated this subchapter has a right to appeal the determination of the Board to a court of competent jurisdiction within ~~twenty~~ (20) days of the action of the Board by filing a verified complaint. The court may affirm, modify, or

reverse the action taken by the Board. Any such appeal shall be heard ~~de novo~~ *de novo*.

(4) Filing a notice of violation is not a prerequisite to filing a complaint alleging a violation before a court of competent jurisdiction. (Ord. 6-15-06B, passed 6-15-06) Penalty, see § 53.99



UNIFORM REQUIREMENTS FOR POST CONSTRUCTION STORM WATER MANAGEMENT

§ 53.20 DEFINITIONS.

(A) *Statutory definitions.* If any term or provision contained in ~~327 IAC 15-5-4 or 327 IAC 15-13-5~~ new General Permit known as the Construction Stormwater General Permit No. INRA00000 (CSGP) or new Municipal Separate Storm Sewer General Permit No. INR040000 (MS4 GP) is used herein, then the term or provision shall have the same meaning in this subchapter as set forth in ~~327 IAC 15-5-4 or 327 IAC 15-13-5~~ therein.

~~(B) *Subchapter definitions.* For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~**BOARD.** The Board of the Department of Storm Water Stormwater Management.~~

~~**BRISTOL.** The Town of Bristol, Indiana.~~

~~**DEPARTMENT.** The Department of Storm Water Stormwater Management.~~

~~**GREATER ELKHART COUNTY MS4.** The area designated by the Indiana Department of Environmental Management as Municipal Separate Storm Sewer System (MS4) entities under 327 IAC 15-13, which is comprised of the City of Elkhart, the City of Goshen, the Town of Bristol, and certain unincorporated areas within the County of Elkhart, Indiana.~~

~~**PERSON.** An individual, partnership, limited partnership, limited liability partnership, corporation, limited liability company, association, company, organization, or governmental entity, whether for profit or not for profit. (Ord. 6-15-06C, passed 6-15-06)~~

§ 53.21 GENERAL PROVISIONS.

(A) Applicability. Any and all real estate within the ~~town~~ **Town** subject to a post

construction ~~storm-water~~ stormwater pollution prevention plan as required by ~~Rule Five at 327 IAC 15-5-6.5(a)(8)~~ Construction Stormwater General Permit No. INRA00000 (CSGP) at Section 4.1 shall be governed by the terms and provisions of this subchapter unless exempt under this subchapter.

(B) Exempt real estate. The following activities are exempt from the ~~storm-water~~ stormwater performance and documentation requirements established by this subchapter:

(1) Agricultural land distributing activities.

(2) Forest harvesting activities.

(3) Construction activities that result in a land disturbance of less than one acre of total land area as determined under Rule Five and are not part of a larger common plan of development or sale.

(4) The following activities provided other applicable permits contain provisions requiring immediate implementation of soil erosion control measures:

(a) Landfills that have been issued a certification of closure under 329 IAC 10;

(b) Coal mining activities permitted under IC 14-34; and

(c) Municipal solid waste landfills that are accepting waste pursuant to a permit issued by the Indiana Department of Environmental Management under 329 IAC 10 that contains the equivalent storm water requirements to those under Rule Five, including expansion of landfill boundaries and construction of new cells either within or outside the original solid waste permit boundary.

(5) Repairs to the MS4 deemed necessary by the Department. (Ord. 6-15-06C, passed 6-15-06)

§ 53.22 POST CONSTRUCTION COMPLIANCE REQUIREMENTS.

(A) *Performance requirements.* For any real estate governed by the terms and provisions of this subchapter, the owner or operator of such real estate shall comply with the following requirements:

(1) Implementation of all terms and provisions of the post construction ~~storm-water~~ stormwater pollution prevention plan.

(2) Operation, maintenance, and repair of any and all ~~storm-water~~ stormwater quality measures and practices identified in the construction plan that were intended to remain in place after construction activities have been completed.

(3) Installation, operation, maintenance, and repair of each post construction ~~storm-water~~ stormwater quality measure and practice approved as part of the construction plan or

the post construction ~~storm-water~~ stormwater pollution prevention plan.

(4) Inspection no less frequently than annually of all ~~storm-water~~ stormwater management facilities to document maintenance and repair needs and ensure compliance with the requirements of this subchapter and the accomplishment of its purposes. These needs include removal of silt, litter, and other debris from all catch basins, inlets and drainage pipes, grass cutting and vegetation removal, and necessary replacement of landscape vegetation. Any maintenance needs found must be addressed in a timely manner.

(5) Implementation of all terms and provision of the landscaping plan.

(6) Implementation of all terms and provisions of the erosion and sediment control plan for all construction activities related to implementing any on-site ~~storm-water~~ stormwater management facilities, measures, and practices.

(B) *Documentation requirements.* For any real estate governed by the terms and provisions of this subchapter, the owner or operator of such real estate shall comply with the following requirements:

(1) Provide to the Department ~~of Storm-Water Stormwater Management (hereafter "Department")~~ a narrative description of the maintenance guidelines for all post construction ~~storm-water~~ stormwater quality measures to facilitate their proper long-term function and identify the entity or entities responsible for long-term maintenance. It is an obligation of the project owners and their successors in interest to provide these narrative descriptions to future parties who acquire an interest in any portion of the real estate or who assume responsibility for the operation and maintenance of the post construction ~~storm-water~~ stormwater quality measures.

(2) Execution of an enforceable maintenance agreement that designates the parties responsible for the operation, maintenance, and repair of all ~~storm-water~~ stormwater management facilities and all ~~storm-water~~ stormwater quality measures and practices as required by this subchapter. As part of the agreement, a schedule shall be developed for when and how often maintenance will occur to ensure proper function of the ~~storm-water~~ stormwater management facility. The agreement shall also include plans for periodic inspections to ensure proper performance between scheduled cleanouts. The agreement shall include provisions for funding all required maintenance. All maintenance agreements shall be subject to the approval of the Department and recorded with the County Recorder.

(3) Parties who are responsible for installation, operation, maintenance, and repair of ~~storm-water~~ stormwater management facilities shall make and maintain records for all installation, maintenance and repairs made to all systems, structures, and measures. These records must be maintained for at least five (5) years and made available to the Department at all reasonable times.

(4) The execution or provision of a drainage easement for access and maintenance purposes in favor of the ~~town~~ Town which is recorded and binding on all subsequent

owners of the real estate burdened by the easement and those served by the on-site ~~storm water~~ **stormwater** management facilities and measures.

(5) The design and planning of all ~~storm-water~~ **stormwater** management facilities shall include detailed maintenance and repair procedures to ensure their continued function. These plans will identify the parts or components of a ~~storm-water~~ **stormwater** management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

(6) Establishment of a landscaping plan which provides for the maintenance of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.

(7) The establishment of an erosion and sediment control plan for all construction activities related to implementing any on-site ~~storm-water~~ **stormwater** management facilities, measures, and practices. (Ord. 6-15-06C, passed 6-15-06)

§ 53.23 ENFORCEMENT.

(A) Notice of violation.

(1) Whenever the Department finds that a person has committed a prohibited act or failed to meet the requirements of this subchapter, the Department may take one or more of the following actions:

(a) Notify the person who committed the act or failed to meet the requirements of this ~~sub~~chapter by telephone and request compliance or cessation of the prohibited act.

(b) Notify the person who committed the act or failed to meet the requirements of this ~~sub~~chapter in writing and order compliance or cessation of the prohibited act.

(c) Enter into an agreed order with the approval of the Board which order may include payment of a fine by the violator.

(d) File a notice of violation before the Board describing the violation of this subchapter found by the Department.

(e) File a complaint in a court of competent jurisdiction seeking a judicial determination that this ~~sub~~chapter has been violated and requesting the imposition of fines.

(2) If the Department takes any authorized action and taking such action does not result in compliance with this ~~sub~~chapter, the Department may take any other authorized action to obtain compliance.

(3) The Department may file a complaint with a court of competent jurisdiction to enforce the terms of an agreed order or an order of the Board.

(B) Right to enter premises.

(1) The Department shall have the right to enter any premises for any of the following reasons:

(a) Investigate a suspected spill or discharge into the ~~Town's storm-water~~ stormwater or ~~town's~~ storm drain system;

(b) To carry out routine inspections;

(c) To carry out routine sampling; and

(d) To verify compliance with any agreed order, order of the Board, or order of any court of competent jurisdiction.

(e) Entry shall be first attempted by seeking consent of occupant or owner.

(2) If the Department has been refused access to any part of the premises from which ~~storm-water~~ stormwater is discharged and the Department is able to reasonably demonstrate to a court of competent jurisdiction that there may be a violation of this subchapter, or that there is a need to inspect or sample as part of the Department's routine inspections and sampling program, the Department may seek a court order allowing the Department access to all relevant parts of a premises.

(3) Any written notice of violation shall be issued upon the responsible party by regular U.S. mail or delivered personally to the responsible party unless the applicable ordinance or statute requires different written notice.

(C) Board hearing.

(1) Before any Board hearing is held, a party alleged to have violated this ~~sub~~chapter shall receive written notice of the violation including the nature of the violation and a summary of the facts that constitute that violation. In the event of an emergency hearing before the Board, this information may be orally presented to the affected party and the affected party may elect to proceed or the affected party may insist on written notice and delay the hearing. The emergency action taken by the Department shall continue until a hearing can be held.

(2) A party alleged to have violated this ~~sub~~chapter has the right to have an attorney present to cross examine witnesses, and has the right to present evidence and have witnesses testify.

(3) A party found to have violated this ~~sub~~chapter has a right to appeal the determination of the Board to a court of competent jurisdiction within ~~twenty~~ (20) days of the action of the Board by filing a verified complaint. The court may affirm, modify or reverse the action taken by the Board. Any such appeal shall be heard ~~de novo~~ *de novo*.

(4) Filing a notice of violation is not a prerequisite to filing a complaint alleging a violation before a court of competent jurisdiction.

(D) Injunctive relief. If a party has violated this ~~sub~~chapter and continues to do so, the Department may petition any court of competent jurisdiction for the issuance of a temporary restraining order or permanent injunction which restrains or requires specific compliance with this ~~sub~~chapter.

(E) Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Department may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

(F) *Access to inspections of ~~storm-water~~ stormwater facilities.*

(1) The Department shall be granted at all reasonable terms access to the real estate to inspect any ~~storm-water~~ stormwater management facility.

(2) When any new drainage control facility is installed on private property, or when any new connection is made between private property and a public drainage control system, sanitary sewer, or combined sewer, the property owner shall grant to the ~~town~~ **Town** the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ~~sub~~chapter is occurring or has occurred, and to enter to correct a violation of this ~~sub~~chapter. (Ord. 6-15-06C, passed 6-15-06) Penalty, see § 53.99

§ 53.24 ADOPTION OF ~~STATE EROSION AND SEDIMENT CONTROL MANUAL~~ ELKHART COUNTY STORMWATER TECHNICAL MANUAL AND ELKHART COUTY STREET STANDARDS .

The latest version of the ~~State Erosion and Sediment Control Manual (currently known as the Indiana Handbook for Erosion Control and Developing Areas), as amended or replaced from time to time~~ *Elkhart County Stormwater Technical Manual*, is hereby adopted as the technical manual of reference for the minimum control requirements for erosion and sediment control for the ~~town~~ **Town**. (~~Ord. 6-15-06C, passed 6-15-06~~)

Additionally, the *Elkhart County Street Standards (2024)*, in its current published version, and as it may be amended from time to time, shall provide design rate and volume criteria for controlling stormwater runoff from land developments in the Town.

§ 53.25 RESIDENTIAL DEVELOPMENT.

- (A) Individual Building Lots within multi-lot development with CSGP coverage. Activities shall comply with provisions set forth in CSGP at Section 3.8.
- (B) Single-Family Residential Lots and ponds that are not within multi-lot development. Activities shall comply with provisions set forth in CSGP at Section 3.9.



STORM WATER USER FEES

§ 53.35 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADVISORY BOARD. The Advisory Board for the Greater Elkhart County MS4 as established under the Interlocal Agreement between the County of Elkhart, City of Elkhart, City of Goshen, and Town of Bristol for the implementation of the Phase II ~~Storm Water~~ Stormwater NPDES Permit Regulations.

EQUIVALENT RESIDENTIAL UNIT (ERU). The number of units, equal to the assumed average amount of impervious area of a single-family residential parcel of real estate within the ~~Town town~~, which is established at 3,600 square feet of impervious area. The unit value, which will be carried out and rounded off to one decimal point, being the equivalent of one-tenth of an ERU, is also the basis for calculating the assessment of ~~storm-water~~ stormwater user fees for the ~~Town town~~ storm water system.

IMPERVIOUS AREA. Those areas which prevent or impede the infiltration of ~~storm water~~ stormwater into the soil as it enters natural conditions prior to development. Common impervious areas include, but are not limited to roof tops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, gravel surfaces, awnings and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of storm water runoff which existed prior to development.

KEY NUMBER. A number assigned to a tract of land in Elkhart County by the Elkhart County Auditor that identifies the taxing district in which the tract is located, is a number that is not assigned to any other tract in Elkhart County, and is listed in the transfer book or records maintained under I.C. § 6-1.1-5.

NON-RESIDENTIAL REAL ESTATE. All real estate tax parcels which are not described by the definition of **RESIDENTIAL REAL ESTATE** shall be defined as non-residential. Nonresidential real estate will include:

- (1) Agricultural real estate;
- (2) Commercial real estate;
- (3) Industrial real estate;
- (4) Institutional real estate;
- (5) Church real estate;
- (6) School real estate;
- (7) Federal, state, and local government real estate;
- (8) Utility real estate; and
- (9) Any other real estate not mentioned in this list and which is not described by the definition of residential real estate.

RESIDENTIAL REAL ESTATE. A separate tax parcel of real estate which is primarily used for dwelling purposes on which a building is situated which building contains one or more dwelling units which dwelling units are each used or are intended to be used primarily for living, sleeping, cooking, and eating. **RESIDENTIAL REAL ESTATE** shall include all types of dwelling units including single-family homes, duplexes, triplexes, quadplexes, and row type homes. **RESIDENTIAL REAL ESTATE** shall also include condominium dwellings, apartment dwellings, and mobile home parks. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11)

§ 53.36 ~~STORM WATER~~ STORMWATER USER FEE.

A storm water user fee shall be imposed on each and every tax parcel of real estate within the incorporated portions of the ~~town~~ **Town** which directly or indirectly contributes to the ~~storm water~~ **stormwater** system of the ~~Town town~~ **Town**, which charge shall be assessed against the owner thereof, who shall be considered the user for purposes of this subchapter. This charge is hereby deemed to be reasonable and necessary to pay for the regulation, planning, operation, maintenance, repair, replacement, and improvement of the existing and future ~~town~~ **Town** ~~storm-water~~ **stormwater** system. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11)

§ 53.37 ~~STORM WATER~~ STORMWATER RATES.

Until later revised or amended, the storm water user fees shall be at the rate of **Fifteen Dollars (\$15.00)** per year per ERU. This ~~storm-water~~ **stormwater** rate is designed to cover the cost of rendering ~~storm-water~~ **stormwater** service to the users of the ~~town~~ **Town** storm water system and shall be the basis for the assessment of the storm water user fee. This rate is established so as to maintain adequate fund reserves to provide for reasonably expected variations in the cost of providing services, variations in the requirements for providing such services, as well as future improvements and capital needs. This rate may be evaluated and adjusted, as necessary, with regard to its sufficiency to satisfy the needs of the Department of ~~Storm-Water~~ **Stormwater** Management; otherwise, this rate shall remain in effect. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11)

§ 53.38 RATE STRUCTURE AND CALCULATION.

(A) There is hereby assessed a ~~storm-water~~ **stormwater** user fee to each owner of residential real estate and non-residential real estate located within the incorporated portions of the ~~town~~ **Town** which contain impervious area in an amount based upon the assigned ERU as determined below. Such user fees shall be calculated and assessed each year on a tax parcel basis by key number.

(B) All real estate having impervious area within the incorporated portions of the ~~town~~ **Town** will be assigned an ERU in accordance with the following provisions:

(1) Residential real estate. A residential tax parcel containing only a single-family dwelling unit shall be one ERU. A residential tax parcel containing two or three dwelling units shall also be assigned one ERU. All other residential tax parcels containing more than three dwelling units shall be assigned an ERU based upon the parcel's individually measured impervious area in square feet divided by 3,600 square feet. This division will be calculated and rounded to the first decimal point.

(2) Non-residential real estate. Each tax parcel of non-residential real estate shall be assigned an ERU based upon the parcel's individually measured impervious area in square feet divided by 3,600 square feet. This division will be calculated and rounded to the second decimal place.

(3) The identification of real estate tax parcels and key numbers, the classification of primary use, the determination of whether a tax parcel contains a dwelling unit, the number of dwelling units a tax parcel contains, the classification of the type of dwelling unit and type of real estate, and the measurement and calculation of the impervious area on a tax parcel shall be based upon the existing data in the Elkhart County computer assisted mass appraisal system database for the respective determination date used for making the ~~storm-water~~ **stormwater** user fee assessments.

(4) For each current year ~~storm-water~~ **stormwater** user fee assessment, the determination date shall be March 1 of the prior year.

(C) Utilizing the provisions of paragraphs (3) and (4) of division (B) above, the assessment for any tax parcel with a calculated ~~storm-water~~ **stormwater** use fee equal to less than \$2.25 will be waived.

(D) There shall be no other exceptions or exemptions from the assignment of ERUs and the assessment of ~~storm-water~~ **stormwater** user fees for a particular type or classification of real estate tax parcel within the ~~town~~ **Town**. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11)

§ 53.39 COLLECTION OF USER FEES.

(A) The collection of the ~~storm-water~~ **stormwater** user fees authorized by this subchapter shall be effectuated through a charge appearing each year on the property tax statements of the affected property owner. One-half of the ~~storm-water~~ **stormwater** user fees charged each year for a real estate tax parcel shall be billed on each of the spring and fall property tax statements for that parcel. The user fees shall be due and payable at the same time as the property taxes appearing on the spring and fall property tax statements are due and payable. In the event only one property tax statement is billed for a real estate tax parcel, the entire annual ~~storm-water~~ **stormwater** user fees for that parcel authorized by this subchapter shall be billed on that property tax statement which shall be due and payable at the same time as the property taxes appearing on the property tax statement are due and payable.

(B) If user fees are not paid when due, they shall be charged and assessed late payment penalties by the Elkhart County Treasurer in the same way and in the same manner that delinquent property taxes are charged and assessed.

(C) If user fees and penalties are not paid when due, they shall be collected by the Elkhart County Treasurer in the same way that delinquent property taxes are collected. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11)

§ 53.40 APPEALS OF ERU DETERMINATION.

(A) If, in the opinion of any user, the ERU assigned to the user's real estate tax parcel is inaccurate in light of the number of dwellings or amount of impervious area on the property, the user shall have the right to contest the ERU determination and thus the ~~storm-water~~ **stormwater** user fees assessed in accordance with the provisions contained in this section.

(B) The user shall obtain and complete a Petition to Appeal ~~Storm-Water~~ **Stormwater** Assessment Form which shall be filed with the Elkhart County MS4 operator with verifiable documentation supporting the user's claim. To be timely for any current year ~~storm-water~~ **stormwater** user fee assessment, a Petition to Appeal must be filed no later than the date on which the spring installment of user fees shall be due and payable. The Elkhart County MS4 operator shall refer the petition to the Advisory Board for the Greater Elkhart County MS4.

(C) The Advisory Board shall investigate the user's claim and, upon review thereof, shall

render a written determination that either the original ERU determination and assessment should be affirmed or that the user's rate should be adjusted and how much the adjustment should be.

(D) The determination made by the Advisory Board shall be forwarded to the user by certified mail, return receipt requested. The user shall have **fifteen (15)** days from date of receipt to request reconsideration if dissatisfied with the decision from the Advisory Board. Any additional facts concerning the dispute shall be reduced to writing and submitted, along with a copy of the original petition and supporting documents, to the Elkhart County MS4 Operator. The Elkhart County MS4 Operator shall refer the matter to the Board of the Department of ~~Storm-Water~~ **Stormwater** Management. The Advisory Board shall submit a written report of the determination in the case, along with any documents used, in denying the user's claim or in recommending an adjustment.

(E) Thereafter, the Board of the Department of ~~Storm-Water~~ **Stormwater** Management shall review all documentation and conduct an informal hearing to determine and resolve the dispute based upon the documentation submitted and any oral testimony. The Board shall issue a determination which shall be binding upon the Department of ~~Storm-Water~~ **Stormwater** Management and the user. The hearing shall be recorded and the minutes of the hearing provided upon request at a cost per page as determined by the Secretary for the Board which rate shall be amended from time to time.

(F) Any user aggrieved by the final Board determination shall have the right to judicial review of such determination in accordance with Indiana law.

(G) If a user's storm water assessment is reduced or eliminated by the Advisory Board, the Board of the Department of ~~Storm-Water~~ **Stormwater** Management, or court of law, the user shall be refunded accordingly for any overpayment made from the earlier of the date the ~~storm-water~~ **stormwater** user fee assessment was paid or was due and payable.

(H) A dispute or appeal of an ERU determination for ~~storm-water~~ **stormwater** assessment shall not be a valid reason for non-payment of the originally assessed ~~storm-water~~ **stormwater** user fee. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11)

§ 53.41 ~~STORM-WATER~~ **STORMWATER UTILITY FUND.**

All ~~storm-water~~ **stormwater** user fees and penalties collected and interest earned thereon shall be deposited in the Town ~~Storm-Water~~ **Stormwater** Utility Fund. (Ord. 10-19-06(A), passed 10-19-06; Am. Ord. 1-20-11, passed 1-20-11) Cross-reference: ~~Storm-water~~ **Stormwater** utility fund, see §§ 35.40, 35.42

§ 53.99 PENALTY.

(A) Any violation of this chapter is subject to a fine of up to \$2,500.

(B) The Department may enter upon private property and take any and all measures necessary to abate a violation, if a court of competent jurisdiction has found that a violation of this chapter has occurred and has approved the action to be taken by the Department. The costs of such abatement shall be assessed to the owner of the private property.

(C) The Department may suspend any ~~town~~ MS4 discharge access to stop an actual or threatened discharge which presents imminent and substantial danger to the environment, to the health or welfare of any person, to the ~~Town town~~ MS4, or to any waters. This suspension may be without notice if an emergency exists but a hearing will be held at the next Board meeting after the owner of the real estate can be notified to determine the existence of an emergency and that there is a substantial and imminent danger.

(D) The Board or any court may order the owner of the real estate or the responsible party for the operations on the real estate to take any and all actions necessary to comply with this chapter.

(E) The Department may recover reasonable attorney fees, court costs, and other expenses associated with the enforcement of this chapter including sampling and monitoring expenses and the cost of actual damages incurred by the Department.

(F) Each day a violation continues constitutes a new and separate violation.

(G) If a party has violated this chapter and continues to do so, the Department may petition any court of competent jurisdiction for the issuance of a temporary restraining order or permanent injunction which restrains or requires specific compliance with this chapter. (Ord. 6-15-06B, passed 6-15-06)