

**RESOLUTION NO. 2026- 1**

**UTILITY SERVICE BOARD FOR THE TOWN OF THORNTOWN, INDIANA**

**A RESOLUTION ESTABLISHING PROCEDURES FOR EXCAVATION**

WHEREAS, the Utility Service Board for Thorntown Utilities for the Town of Thorntown, Indiana (“Board”) is the governing administrative body for Thorntown Utilities and has certain powers and duties under Indiana law; and

WHEREAS, pursuant to I.C. 8-1.5-3-8 a municipality owning a utility shall furnish reasonably adequate services and facilities and pay the necessary expenses incident to the operation of the utility; and

WHEREAS, the Thorntown Utilities has experienced damage to its infrastructure as a result of excavation done by third parties; and


WHEREAS, the Board has determined that they should adopt a Policy for an excavation performed within ten feet (10’) of any infrastructure owned by Thornton Utilities to prevent damage to its infrastructure and protect the ratepayers and citizens of Thorntown.


NOW, THEREFORE, BE IT RESOLVED THAT THE THORNTOWN UTILITY SERVICE BOARD, TOWN OF THORNTOWN, INDIANA, that pursuant to state law, the Board hereby establishes the following Procedures for any excavation planned or performed near existing infrastructure owned or operated by Thorntown Utilities:

1. Any person or entity wishing to conduct (or conducting) an excavation within ten feet (10’) of existing infrastructure owned and operated by Thorntown Utilities must have the utilities infrastructure marked by 811 and representatives of Thorntown Utilities and must visually locate the precise location of infrastructure by “potholing” with a Vac truck or by hand digging.
2. The party performing the excavation must post a bond for damages in an amount to be determined by Thorntown Utilities prior to the excavation and provide proof of insurance naming Thorntown Utilities as an additional insured.
3. The party performing the excavation accepts full financial responsibility for any damage to the infrastructure owned or operated by Thorntown Utilities.
4. Any damage to Thorntown Utilities infrastructure shall be immediately reported to the Thorntown Utilities Office (765.436.2627).
5. The party performing the excavation shall restore the excavation area including paving, patching, grading and seeding as necessary.
6. Prior to excavation, the party shall provide notice to Thornton Utilities at least 48 hours in advance.
7. After completion of the excavation, the party must provide ‘As Built’ or “As Constructed” plans to Thorntown Utilities including GIS coordinates that meet or exceed ASCE 38-22 and ASCE 75-22 (as amended from time to time).
8. Any violation of this procedure shall result in a fine of \$1,000 per incident. Each day of violation shall be deemed a separate incident. The party shall also be responsible for any court costs and attorney fees incurred by Thorntown Utilities for the enforcement of this Resolution.


It is so RESOLVED this 20<sup>th</sup> day of March, 2026.

THORNTOWN UTILITIES SERVICE BOARD  
THORNTOWN, INDIANA:

  
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, President

  
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ATTEST:   
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