

ORDINANCE NO. 2012- 13

AN ORDINANCE REGARDING AMENDING THE SCHEDULE OF RATES AND CHARGES COLLECTED BY THE CITY OF RISING SUN, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED THEREWITH

WHEREAS, the City of Rising Sun, Indiana ("City") has heretofore constructed, owns and has in operation a sewage works, by and through the Rising Sun Utility Service Board ("Utility Board"), for the purpose of collecting and disposing of the sewage of the City in a sanitary manner; and

WHEREAS, the Ordinance of the City codified as §52.20 ("Ordinance"), as amended by Ordinance No. 2004-10 (collectively, "Rate Ordinance") fixed and established monthly sewer charges to be collected by the City from the owners of property served by the City's sewage works; and

WHEREAS, an examination of the existing schedule of rates and charges heretofore fixed by ordinances of the City has revealed that the schedule is insufficient to provide the revenues needed to pay for operating expenses, replacements and improvements; and, therefore, it is necessary to increase the rates and charges of the sewage works over a five year period to provide sufficient monies; and

WHEREAS, the Utility Service Board of the City has found that there exists a need for amending the schedule of rates and charges and has provided the Common Council of the City of Rising Sun, Indiana with a resolution to that effect; and

WHEREAS, the City has received a report from its financial advisors, O.W. Krohn & Associates, supporting the additional rates established herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, INDIANA, THAT;

Section 1. The sewage rates and charges shall consist of a base service charge plus a flow rate which is based on the quantity of water used on or in the property or premises subject to such rates and charges as the same may be measured by the water meter there in use, except as otherwise provided in this ordinance. Sewage flow rates, based upon the amount of water used, shall be as follows:

| Rates Effective as soon as practical on or after: | UPON PASSAGE | 1/1/2014 | 1/1/2015 |
|--|-----------------|----------------|----------------|
| <u>MONTHLY METERED RATES</u> | <u>PHASE 1</u> | <u>PHASE 2</u> | <u>PHASE 3</u> |
| PER 1,000 GALLONS | \$ 5.79 | \$ 5.96 | \$ 6.14 |
| <u>BASE CHARGES</u> | <u>PHASE 1</u> | <u>PHASE 2</u> | <u>PHASE 3</u> |
| WATER METER SIZE: | | | |
| 5/8 OR 3/4 INCH METER | \$12.83 | \$13.21 | \$ 13.61 |
| 1 INCH METER | 32.14 | 33.10 | 34.09 |
| 1 ¼ INCH METER | 51.41 | 52.95 | 54.54 |
| 1 ½ INCH METER | 74.54 | 76.78 | 79.08 |
| 2 INCH METER | 107.10 | 110.31 | 113.62 |
| 4 INCH METER | 526.85 | 542.66 | 558.94 |
| <u>CONNECTION CHARGES</u> | <u>PHASE 1</u> | <u>PHASE 2</u> | <u>PHASE 3</u> |
| TAP FEES | \$ 250.00 | \$ 250.00 | \$ 250.00 |
| <u>CAPACITY FEES</u> | <u>PHASE 1</u> | <u>PHASE 2</u> | <u>PHASE 3</u> |
| RESIDENTIAL USERS: | | | |
| SINGLE FAMILY, PER UNIT | \$ 700.00 | \$ 700.00 | \$700.00 |
| MULTI-FAMILY, PER UNIT | 625.00 | 625.00 | 625.00 |
| HOTEL/MOTEL LODGING, PLUS \$500 PER UNIT | 1,500.00 | 1,500.00 | 1,500.00 |
| MOBILE HOMES, PER SITE | 625.00 | 625.00 | 625.00 |
| COMMERCIAL, NON-RESIDENTIAL AND NON-INDUSTRIAL USERS: | | | |
| LESS THAN 1 INCH | 700.00 | 700.00 | 700.00 |
| LESS THAN 2 INCHES | 1,800.00 | 1,800.00 | 1,800.00 |
| LESS THAN 4 INCHES | 3,500.00 | 3,500.00 | 3,500.00 |
| GREATER THAN 4 INCHES (1) | 6,000.00 | 6,000.00 | 6,000.00 |
| INDUSTRIAL USERS - BUILDING SANITARY WASTER ONLY: | | | |
| LESS THAN 1 INCH | 700.00 | 700.00 | 700.00 |
| LESS THAN 2 INCHES | 1,800.00 | 1,800.00 | 1,800.00 |
| LESS THAN 4 INCHES | 3,500.00 | 3,500.00 | 3,500.00 |
| GREATER THAN 4 INCHES (1) | 6,000.00 | 6,000.00 | 6,000.00 |
| PROCESS WATER (1) | 2,500.00 | 2,500.00 | 2,500.00 |

| <u>NON-RECURRING CHARGES</u> | <u>PHASE 1</u> | <u>PHASE 2</u> | <u>PHASE 3</u> |
|------------------------------|----------------|----------------|----------------|
| BAD CHECK FEE | \$ 30.00 | \$ 30.00 | \$ 30.00 |
| INSPECTION FEE (PER HOUR) | 50.00 | 50.00 | 50.00 |
| PERMIT FEE | 25.00 | 25.00 | 25.00 |
| TAP IN FEE | 50.00 | 50.00 | 50.00 |

(1) OR ACTUAL COST, Whichever is greater

Section 2. In all other respects, the Rate Ordinance shall remain in full force and effect.

Section 3. Prior Ordinances. All ordinances and/or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Separability. If any section, sub-section, sentence, clause, phrase or portion of this ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not effect the validity of the remaining portions thereunder.

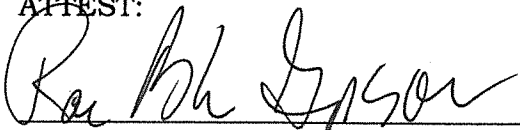
Section 5. Effective Date. This ordinance shall be in full force and effect from and after its passed by the Common Council, its approval by the Mayor, and completion of any notice requirements, all in the manner as provided by law.

PASSED AND ADOPTED by the Common Council of the City of Rising Sun, Indiana, on the 3rd day of January, 2013.



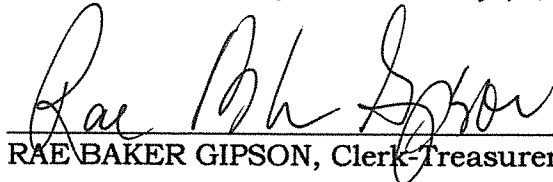
 PRESIDING OFFICER

ATTEST:



 RAE BAKER GIPSON, Clerk-Treasurer

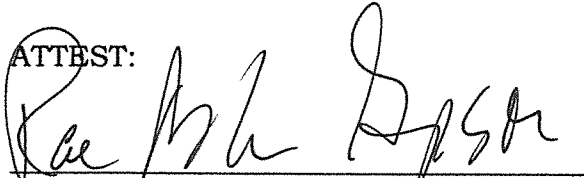
Presented by me to the Mayor of the City of Rising Sun on the 3rd day of January, 2013, at 6:43 o'clock p.m.



 RAE BAKER GIPSON, Clerk-Treasurer

This Ordinance approved and signed by me as the Mayor of the City of Rising Sun, Indiana, this 3rd day of January, 2013, at 6:43 o'clock p.m.

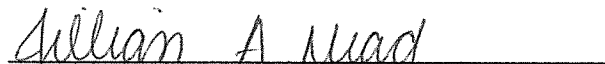


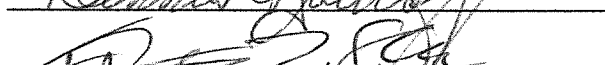

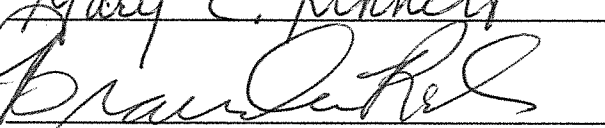

BRANDEN ROEDER, Mayor

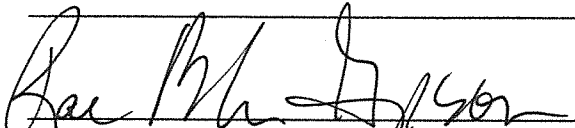
ATTEST:

RAE BAKER GIPSON, Clerk-Treasurer

Adopted this 3rd day of January, 2013.

NAY

AYE

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Attest: Rae Baker Gipson,
Clerk-Treasurer

Branden Roeder, Mayor