

ORDINANCE NO. 2015-4

AN ORDINANCE AMENDING THE SCHEDULE
OF SEWER RATES AND CHARGES TO BE COLLECTED
BY THE CITY OF ROCKPORT FROM THE OWNERS
OF PROPERTY SERVED BY THE SEWAGE WORKS OF THE CITY

WHEREAS, the City of Rockport, Indiana ("City") has heretofore constructed and has in operation a sewage treatment facility for the purpose of collecting and disposing in a sanitary manner the sewage works of the City; and

WHEREAS, the Common Council desires to construct additions and improvements to its sewage works and issue sewage works revenue bonds in order to better service the property owners served by the sewage treatment works of the City; and

WHEREAS, IC 36-9-23 provides that a municipal legislative body shall, by ordinance, establish just and equitable fees for the services rendered by the sewage works; and

WHEREAS, the Common Council finds that, based upon the advice of its financial advisor, the existing sewage rates and charges are insufficient to enable the City to properly operate and maintain its sewage treatment works facility, pay debt service on its bonds, and fund additions and improvements to the system; and

WHEREAS, the Common Council finds that the rates and charges set forth herein are reasonable and just and are based upon the cost of providing service to the customers of the sewage works; and

WHEREAS, the existing sewage rates and charges are set forth in Ordinance No. 1993-3, adopted on June 3, 1993, as amended by Ordinance No. 2000-2, adopted on June 6, 2000 ("2000 Ordinance"), and as further amended by Ordinance No. 2001-6, adopted on September 11, 2001 (collectively, "Outstanding Rate Ordinance"), and the Common Council finds that it is necessary to amend such Outstanding Rate Ordinance and repeal the rates and charges set forth therein to the extent they conflict with the rates and charges set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA:

Section 1. Section 1 of the Outstanding Rate Ordinance is hereby amended and restated as follows:

For the use of and services rendered by the sewage works, rates and charges shall be collected from the owner of each and every lot, parcel of real estate or building that is connected with the City's sanitary sewage system or otherwise discharges sanitary sewage, industrial waste, water or other liquids, either directly or indirectly, into the sanitary sewage system of the City, including users outside the

corporate limits, which rates and charges are payable as hereinafter provided and shall be in an amount determinable as follows:

A. The sewage rates and charges shall be 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 service rates, based upon the amount of water used, shall be as follows:

<u>Metered Consumption</u>		<u>Monthly Rate Per 1,000 Gallons</u>
First	5,000 gallons	\$10.17
Next	10,000 gallons	7.95
Over	15,000 gallons	6.27

Users located outside the corporate boundaries of the City shall pay, in addition to the above metered rates, a monthly variable rate surcharge of \$2.28 per 1,000 gallons.

The surcharge results in a percentage difference, as compared to the monthly rates per 1,000 gallons, of 22.4% for the first 5,000 gallons, 28.7% for the next 10,000 gallons and 36.4% for over 15,000 gallons.

B. The minimum charge for sewage treatment service for any user, whether a metered water consumer, a flat rate water consumer, or not a water consumer, shall be as follows:

<u>Minimum Charge (3,000 Gallons Allowed)</u>	<u>Per Month</u>
Inside City	\$30.51
Outside City	37.35

The Outside City per month minimum charge results in a percentage difference, as compared to the monthly minimum charge for Inside City, of 22.4%.

C. For the services rendered to the City, the City shall be subject to the same rates and charges as hereinbefore provided or to charges and rates established in harmony therewith.

Section 2. Section 2 of the 2000 Ordinance which reads as follows: "In addition to all existing rates and charges of the sewage works, all users connecting to the sewage works after the date of adoption of this ordinance shall be assessed on a monthly basis an availability surcharge of \$1.80 per 1,000 gallons, with a minimum usage of 3,000 gallons per month per each meter" is hereby repealed.

Section 3. All provisions of the Outstanding Rate Ordinance not amended by this ordinance shall remain in full force and effect.

Section 4. Section 1 of the Original Rate Ordinance shall remain in full force and effect until May 1, 2015, at which time the current Section 1 of the Original Rate Ordinance shall

be deemed repealed and the amendment thereof adopted by this ordinance shall immediately take effect.

Section 5. This ordinance shall be in full force and effect from and after its passage and after its execution by the Mayor.

Passed and adopted by the Common Council of the City of Rockport this 7TH day of APRIL, 2015.

COMMON COUNCIL

Harold Goffinet
Presiding Officer

Attest:

Janie Roberts
Clerk-Treasurer

Presented by me to the Mayor of the City of Rockport this 7th day of April, 2015 at 6:05 p.m.

Janie Roberts
Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Rockport, this 7TH day of APRIL, 2015 at 6:05 p.m.

Harold Goffinet
Mayor