

ORDINANCE 18-4-3

Synopsis: This ordinance, if adopted, will amend portions of Section 53.01 of the Code of Ordinances of the Town of Ossian, Indiana and provide for a six-phase increase in wastewater rates and charges.

AN ORDINANCE AMENDING SECTION 53.01 OF THE CODE OF ORDINANCES OF THE TOWN OF OSSIAN, INDIANA

WHEREAS, the Town Council (“Council”) of the Town of Ossian, Indiana (“Town”) has enacted and established certain user rates and charges to be collected from the customers of its wastewater works; and

WHEREAS, the Town has obtained engineering evaluations of the Town’s responsibility to meet federal and state wastewater standards and obligations and has also obtained financial studies of its wastewater works made by the Town’s financial consultant; and

WHEREAS, those evaluations and studies establish that significant and increasing expenditures are necessary to meet the immediate and near-term requirements of the wastewater works and the revenues generated by the rates and charges currently in force are inadequate to meet those requirements; and

WHEREAS, the statutes of Indiana require that the rates and charges to be collected for the use of services rendered by that wastewater system shall be fixed by ordinance adopted in accordance with the requirements of applicable authority; and

WHEREAS, Council has conducted a public hearing regarding this ordinance following notice and publication as required by Indiana law; and

WHEREAS, Council, having evaluated available data regarding these matters, now finds:

- That the existing rates and charges for the use of, and services rendered by, the Town’s wastewater works system are insufficient to properly operate and maintain those wastewater works, and to properly serve and safeguard the health, well-being, and property of the Town and its inhabitants and wastewater system users, provide for depreciation, service outstanding indebtedness, and finance necessary upgrades and improvements to the system, and that therefore certain rates and charges should be increased; and

- That biannual adjustments in the wastewater rates would be a prudent and necessary step to ensure that wastewater rates remain sufficient to operate and maintain the Town’s wastewater works; and

NOW, THEREFORE, BE IT ORDAINED, that Sections 53.01(A)(2); 53.01(A)(3); and 53.01(A)(4) are hereby repealed and replaced in their entirety as follows:

“ (2) The rates and charges below in Sections 53.01(A)(3); 53.01(A)(4); 53.01(B)(2); 53.01(B)(3); and 53.01(B)(8)(a) shall apply for usage and each shall be effective and phased in as follows:

Phase 1 rates shall supersede and replace current rates and be effective for the first monthly billing period commencing following the adoption of this ordinance.

Phase 2 rates shall supersede and replace those Phase 1 rates effective as of and for and after the first monthly billing period commencing following May 31, 2019.

Phase 3 rates shall supersede and replace those Phase 2 rates effective as of and for and after the first monthly billing period commencing following May 31, 2021.

Phase 4 rates shall supersede and replace those Phase 3 rates effective as of and for and after the first monthly billing period commencing following May 31, 2023.

Phase 5 rates shall supersede and replace those Phase 4 rates effective as of and for and after the first monthly billing period commencing following May 31, 2025.

Phase 6 rates shall supersede and replace those Phase 5 rates effective as of and for and after the first monthly billing period commencing following May 31, 2027.

(3) The water usage schedule on which the amount of the wastewater rates and charges shall be determined shall be as follows:

Quantity of Water

Used per Month

Rate per 1,000 Gallons

	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
First 5,000 gal.	10.73	11.83	12.18	12.54	12.92	13.31
Next 5,000 gal.	9.52	10.50	10.81	11.13	11.47	11.81
Next 5,000 gal.	7.42	8.18	8.42	8.67	8.93	9.20
Next 10,000 gal.	6.90	7.61	7.84	8.07	8.31	8.56
Over 25,000 gal.	6.32	6.97	7.18	7.39	7.61	7.84

(4) The minimum charge for wastewater service where the user is a metered water customer shall be based upon the water meter size as follows:

Water Meter Gallons

Size Allowed

Minimum Per Month

		Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
5/8 - 3/4 inch	3,000	32.20	35.50	36.55	37.65	38.80	40.00
1 inch	5,000	53.65	59.15	60.90	62.70	64.60	66.55
1 1/2 inch	10,000	101.25	111.65	114.95	118.35	121.90	125.55
2 inch	16,000	145.25	160.15	164.90	169.80	174.90	180.15
3 inch	30,000	239.00	263.50	271.30	279.30	287.70	296.35
4 inch	50,000	366.60	402.95	414.90	427.15	440.00	453.20

6 inch	100,000	681.75	751.65	773.90	796.80	820.80	845.40"
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NOW, THEREFORE, BE IT FURTHER ORDAINED, that Sections 53.01(B)(2) and 53.01(B)(3) are hereby replaced in their entirety as follows:

“(2) Unmetered mobile home parks or apartments will be charged the rate below per month per unit or space available.

Charge per month per unit or space available

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
37.85	41.75	42.99	44.26	45.59	46.96

(3) The monthly rate for unmetered sewage usage for a single residential dwelling is below:

Charge per month per unmetered single

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
80.62	88.90	91.53	94.24	97.07	99.98"

NOW, THEREFORE, BE IT FURTHER ORDAINED, that Section 53.01(B)(8)(a) is hereby replaced in its entirety as follows:

“(8)(a) In the event 2 or more dwelling units such as mobile homes, apartments or housekeeping rooms discharging wastewater, water or other liquids into the Town’s wastewater system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in that case billing shall be for a single service in the manner set out elsewhere herein, except that a minimum wastewater additional charge shall be added thereto in the monthly amount set out below for each dwelling unit over 1 served through the single water meter.

Charge per month per each additional unit on single meter

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
32.20	35.50	36.55	37.65	38.80	40.00"

BE IT FINALLY ORDAINED, that this ordinance shall be in full force and effect for the first billing period commencing after its adoption, and for all billing periods thereafter as set out herein, all in accordance with applicable law and pending further action by this Council and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

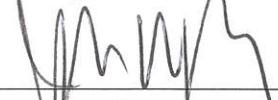




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ORDINANCE 18-4-3

After conducting an appropriately noticed public hearing, Ordinance 18-4-3 was duly adopted this 14 day of MAY, 2018, by a vote of 5 in favor and 0 in opposition.

TOWN OF OSSIAN, INDIANA by its TOWN COUNCIL

Voting in Favor:

Josh Barkley
(President)

Brad Pursley

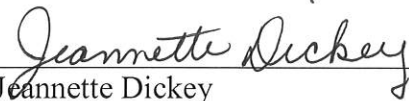
Bill Dowty

Renee Sweeney

Jeff Kemper

Voting in Opposition:

Attest:


Jeannette Dickey
Clerk-Treasurer

AFFIDAVIT OF MAILING AND POSTING
Ordinance 18-4-3

The undersigned hereby certifies that she did:

1. Post a true and exact copy of the Notice of Public Hearing attached hereto and by this reference incorporated herein in the public area of the Town Hall of the Town of Ossian, 507 N. Jefferson Street, Ossian, Indiana and delivered to all news media requesting and regularly receiving such notices on April 10, 2018,

AND

2. Mail a copy of that Notice to each of those users of the Town's municipal Wastewater Department who (which) are located outside the Town's corporate boundaries and to each owner of vacant lots within the Town's corporate boundaries, by first class mail, postage prepaid, on April 10, 2018.

Jeannette Dickey as the Clerk-Treasurer
(Jeannette Dickey) of the Town of Ossian, Indiana

Subscribed and sworn to before me, a Notary Public in and for Wells County, Indiana, this 10 day of April, 2018.

Sally Bracke Notary Public
(SALLY BRACKE)

My Commission Expires: June 26, 2021

My County of Residence: WELLS