

ORDINANCE NO. 2 2018

AN ORDINANCE AMENDING ORDINANCE NO. 9, 2015, ESTABLISHING NEW RATES AND CHARGES FOR THE USE AND SERVICES RENDERED BY THE SEWAGE WORKS SYSTEM OF THE CITY OF ATTICA, INDIANA

WHEREAS, the City of Attica, Indiana (the "City"), has heretofore constructed and has in operation a sewage works utility; and

WHEREAS, the Common Council of the City (the "Council") has previously established the existing schedule of user rates and charges for sewage service, pursuant to Ordinance No. 9, 2015, adopted by the Council on December 14, 2015; and

WHEREAS, the City has employed Steven K. Brock, CPA (the "Financial Advisor") to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Financial Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations; and

WHEREAS; pursuant to IC 36-9-23, as amended (the "Act"), this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, the Clerk-Treasurer of the City has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on Jan 29, 2018, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ATTICA, INDIANA, AS FOLLOWS:

SECTION 1. The Council hereby finds and determines that, based upon the Rate Report, the existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations.

SECTION 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report are nondiscriminatory, reasonable and just, and therefore should be adopted.

SECTION 3. The Council finds and determines that the proposed rates set forth in Exhibit A hereto are nondiscriminatory, reasonable and just, and should be adopted.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its passage. This ordinance shall be effective for bills rendered on and after the day after adoption of this ordinance or such later date as set forth in Exhibit A hereto.

DULY PASSED on this 29 day of Jan, 2018, by the Common Council of the City of Attica, Indiana.

  
\_\_\_\_\_  
Presiding Officer

Attest:

  
\_\_\_\_\_  
Susan Stoll, Clerk-Treasurer

This Ordinance presented by me, the Clerk-Treasurer of the City of Attica, Indiana, to the Mayor for his approval this 29 day of Jan, 2018.

  
\_\_\_\_\_  
Susan Stoll, Clerk-Treasurer

This Ordinance signed and approved by me, the Mayor of the City of Attica, Indiana, this 29 day of Jan, 2018.

  
\_\_\_\_\_  
Duane Roderick, Mayor

**EXHIBIT A**

**City of Attica  
Sewer Works**

**Schedule of Present and Proposed Rates and Charges**

**I Recurring Charges**

**Schedule R - Residential Metered Customers**

<b>A <u>Metered Rates Per Month</u></b>		<b>Proposed</b>
<b><u>Per 1000 Gallons</u></b>		<b><u>Rates</u></b>
Operation Maintenance and Replacement Charge		\$ 6.36
Local Capital Charge		3.74
Total Rate Per 1000 Gallons		10.10
<b>B Monthly Billing Charge</b>		4.05
<b>C <u>Minimum Charge Per Month</u></b>		
<b><u>Size of Meter</u></b>	<b><u>Gallons Allowed</u></b>	
5/8 inch meter	3,000	\$ 34.34
3/4 inch meter	3,000	34.34
1 inch meter	7,800	82.81
1 - 1/2 inch meter	17,400	179.76
2 inch meter	30,000	306.97
3 inch meter	69,000	700.78
4 inch meter	120,000	1,215.77
6 inch meter	276,000	2,795.86
8 inch meter	491,520	4,967.28
<b>D <u>Excess Strength Surcharge Rates</u></b>		
<b><u>Surcharge for Exceeding Pollution Concentration Limits</u></b>		
Biochemical Oxygen Demand (Per Pound) (Concentration Limit 250 Mg/L)		\$ 1.03
Total Suspended Solids (Per Pound) (Concentration Limit 300 Mg/L)		\$ 0.97
<b>E <u>Residential Flat Rate (Unmetered) Customers</u></b>		
Monthly Charge		\$ 55.93

[1] Rates implemented in January of 2017

**City of Attica**  
**Sewer Works**  
**Schedule of Present and Proposed Rates and Charges**

**Schedule C - Commercial Metered Customers**

A	<u>Metered Rates Per Month</u> <u>Per 1000 Gallons</u>	<u>Proposed</u> <u>Rates</u>
	Operation Maintenance and Replacement Charge	\$ 6.23
	Local Capital Charge	3.14
	Total Rate Per 1000 Gallons	9.37
B	Monthly Billing Charge	4.05
C	<u>Minimum Charge Per Month</u> <u>Size of Meter</u>	<u>Gallons</u> <u>Allowed</u>
	5/8 inch meter	3,000
	3/4 inch meter	3,000
	1 inch meter	7,800
	1 - 1/2 inch meter	17,400
	2 inch meter	30,000
	3 inch meter	69,000
	4 inch meter	120,000
	6 inch meter	276,000
	8 inch meter	491,520
		\$ 32.16
		32.16
		77.16
		167.11
		285.22
		650.74
		1,128.73
		2,595.32
		4,610.75
D	<u>Excess Strength Surcharge Rates</u> <u>Surcharge for Exceeding Pollution Concentration Limits</u>	
	Biochemical Oxygen Demand (Per Pound) (Concentration Limit 250 Mg/L)	\$ 1.03
	Total Suspended Solids (Per Pound) (Concentration Limit 300 Mg/L)	\$ 0.97

[1] Rates implemented in January of 2017

**City of Attica**  
**Sewer Works**  
**Schedule of Present and Proposed Rates and Charges**

**Schedule I - Industrial Metered Customers**

**A Metered Rates Per Month**  
Per 1000 Gallons

Operation Maintenance and Replacement Charge	\$	6.29
Local Capital Charge		3.38
 Total Rate Per 1000 Gallons		 9.66

**B Monthly Billing Charge**

4.05

**C Minimum Charge Per Month**  
Size of Meter

Gallons  
Allowed

	5/8	inch meter	3,000	\$	33.03
	3/4	inch meter	3,000		33.03
	1	inch meter	7,800		79.39
	1 - 1/2	inch meter	17,400		172.10
	2	inch meter	30,000		293.80
	3	inch meter	69,000		670.49
	4	inch meter	120,000		1,163.08
	6	inch meter	276,000		2,674.48
	8	inch meter	491,520		4,751.48

**D Excess Strength Surcharge Rates**

Surcharge for Exceeding Pollution Concentration Limits

Biochemical Oxygen Demand (Per Pound) (Concentration Limit 250 Mg/L)	\$	1.03
Total Suspended Solids (Per Pound) (Concentration Limit 300 Mg/L)	\$	0.97

[1] Rates implemented in January of 2017

**City of Attica**  
**Sewer Works**  
**Schedule of Present and Proposed Rates and Charges**

**Schedule P - Public Authorities**

**A Metered Rates Per Month**  
Per 1000 Gallons

Operation Maintenance and Replacement Charge	\$	6.07
Local Capital Charge		3.04
 Total Rate Per 1000 Gallons		 9.11

**B Monthly Billing Charge** 4.05

**C Minimum Charge Per Month**      **Gallons**  
Size of Meter                              Allowed

5/8	inch meter	3,000		\$		31.36			
3/4	inch meter	3,000				31.36			
1	inch meter	7,800				75.08			
1 - 1/2	inch meter	17,400				169.76			
2	inch meter	30,000				277.20			
3	inch meter	69,000				631.83			
4	inch meter	120,000				1,096.66			
6	inch meter	276,000				2,521.44			
8	inch meter	491,520				4,479.40			

**D Excess Strength Surcharge Rates**  
Surcharge for Exceeding Pollution Concentration Limits

Biochemical Oxygen Demand (Per Pound) (Concentration Limit 250 Mg/L)	\$	1.03
Total Suspended Solids (Per Pound) (Concentration Limit 300 Mg/L)	\$	0.97

[1] Rates shown implemented in January of 2017.

**City of Attica**  
**Sewer Works**  
 Schedule of Present and Proposed Rates and Charges - Continued

**II Non-Recurring Charges**

A	<u>Tap Fee</u>		\$ 1,500.00
	5/8 and 3/4 inch meter		
	All other meter sizes	Actual cost of the Tap, but not less than the cost of a 5/8 inch Tap	
B	<u>Deposit</u>		
	Per Connection	Owner	\$ 100.00
		Renter	-
C	<u>Reconnection</u>		
	Putting Disconnection Notice Hanger on Door		\$ 50.00
	Reinstating service discontinued for non-payment		\$ -
D	<u>Late Payment Penalty</u>		10% of Balance Due
F	<u>Meter Tampering</u>		
	First Time and Second Time	Cost to City and estimated usage	
	Third Time	Above and discontinuation of service	
G	<u>Collection and Deferred Payment Charge</u>		
			\$ 30.00
H	<u>Bad Check Charge</u>		

**EXHIBIT A**

**City of Attica  
Sewer Works  
Schedule of Proposed Rates and Charges**

**I Recurring Charges**

**Schedule R - Residential Metered Customers**

<b>A</b>	<b><u>Metered Rates Per Month</u></b>		<b>Proposed</b>
	<b><u>Per 1000 Gallons</u></b>		<b><u>Rates</u></b>
	Operation Maintenance and Replacement Charge		\$ 6.36
	Local Capital Charge		3.74
	Total Rate Per 1000 Gallons		10.10
<b>B</b>	Monthly Billing Charge		4.05
<b>C</b>	<b><u>Minimum Charge Per Month</u></b>	<b><u>Gallons</u></b>	
	<b><u>Size of Meter</u></b>	<b><u>Allowed</u></b>	
	5/8 inch meter	3,000	\$ 34.34
	3/4 inch meter	3,000	34.34
	1 inch meter	7,800	82.81
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	8 inch meter	491,520	4,967.28
<b>D</b>	<b><u>Excess Strength Surcharge Rates</u></b>		
	<b><u>Surcharge for Exceeding Pollution Concentration Limits</u></b>		
	Biochemical Oxygen Demand (Per Pound) (Concentration Limit 250 Mg/L)		\$ 1.03
	Total Suspended Solids (Per Pound) (Concentration Limit 300 Mg/L)		\$ 0.97
<b>E</b>	<b><u>Residential Flat Rate (Unmetered) Customers</u></b>		
	Monthly Charge		\$ 55.93



**City of Attica**  
**Sewer Works**  
**Schedule of Proposed Rates and Charges**

**Schedule C - Commercial Metered Customers**

A	<u>Metered Rates Per Month</u> Per 1000 Gallons	Proposed Rates
	Operation Maintenance and Replacement Charge	\$ 6.23
	Local Capital Charge	3.14
	Total Rate Per 1000 Gallons	9.37
B	Monthly Billing Charge	4.05
C	<u>Minimum Charge Per Month</u> <u>Size of Meter</u>	<u>Gallons</u> <u>Allowed</u>
	5/8 inch meter	3,000
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**Sewer Works**  
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<b>Total Rate Per 1000 Gallons</b>		<b>9.66</b>

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<b>Total Rate Per 1000 Gallons</b>	<b>9.11</b>

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**C Minimum Charge Per Month**      **Gallons**  
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		Renter	-
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	Reinstating service discontinued for non-payment		\$ -
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	Third Time	Above and discontinuation of service	
G	<u>Collection and Deferred Payment Charge</u>		
H	<u>Bad Check Charge</u>		\$ 30.00

*Publish one time in the Fountain County Neighbor on or before January 16, 2018.*