

ORDINANCE NO. 2006-SEW-1

COPY

**AN ORDINANCE AMENDING THE RATES AND
CHARGES FOR THE USE OF AND SERVICES
RENDERED BY THE SEWAGE WORKS SYSTEM OF THE
TOWN OF CORYDON, INDIANA**

WHEREAS, the Town of Corydon, Indiana (the "Town") has established, acquired, and financed its sewage works for the purpose of providing for the collection, treatment and disposal of sewage from inhabitants in and around the Town; and

WHEREAS, the current rates and charges of the sewage works are set forth in and billed and collected by the Town pursuant to the provisions of Ordinance No. 1992-SEW-2 adopted by the Town Council of the Town (the "Council") on August 24, 1992 (the "1992 Ordinance") and Sewer Use Ordinance 2000-SEW-1 adopted by the Council on March 13, 2000 (the "2000 Ordinance"); and

WHEREAS, H. J. Umbaugh & Associates, LLP, Certified Public Accountants, the financial advisor to the Town, has prepared a rate report concerning the current rates and charges of the sewage works (the "Report") as enacted pursuant to the 1992 Ordinance and the 2000 Ordinance; and

WHEREAS, based upon the Report, the Council finds that the current rates and charges for the use of and service rendered by the sewage works do not produce sufficient revenues to pay all the legal and necessary expenses incident to the operation of such sewage works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals and interest charges on bonds or other obligations of the sewage works, to provide a sinking fund for the liquidation of indebtedness, and to provide adequate funds to be used as working capital and funds for making extensions and replacements and to make payments in lieu of taxes; and

WHEREAS, based upon the Report, the Council finds that the current rates and charges as enacted pursuant to the 1992 Ordinance and the 2000 Ordinance do not produce an income sufficient to maintain the sewage works property in a sound physical and financial condition to render adequate and efficient service; and

WHEREAS, the Council finds that the current rates and charges for the use of and service rendered by the sewage works must be increased in order to provide sufficient revenue to meet such requirements and that it is necessary to amend the 1992 Ordinance and the 2000 Ordinance to reflect said increase in the rates and charges of the sewage works; and

WHEREAS, the Council finds, based upon the Report, that it is necessary to enact a lien assessment charge and a returned check fee for the sewage works; and

WHEREAS, the Council finds that the rates and charges set forth herein are based upon the cost of providing service to the customers of the sewage works and will enable to the Town to meet its legal revenue requirements for the sewage works;

NOW THEREFORE, be it ordained by the Town Council of the Town of Corydon, Indiana that:

Section 1. Section 2(a) of the 1992 Ordinance is hereby amended and restated as follows:

“The sewage rates and charges shall be based on the quantity of water used on the property or premises subject to such rates, as the same is measured by the water meter there in use, plus a base charge based on the size of the water meter installed, except as herein otherwise provided. For the purpose of billing and collecting the charges for sewage service, the water meters shall be read monthly and the users shall be billed monthly or a period equaling a month. The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

I. Monthly Base Charge – Metered Users

Meter Size:

5/8 – 3/4	inch	\$ 4.60
1	inch	8.35
1 1/4	inch	12.20
1 1/2	inch	16.75
2	inch	27.45
3	inch	60.50
4	inch	103.70
6	inch	233.30

II. Allocation for Tyson Foods (f/k/a Hudson Foods)

(in addition to the above base charges) \$7,705.00/month

III. Flow Charge (per 1,000 gallons)

Tyson Foods	\$1.97
All other users	3.50”

Section 2. Section 2(b) of the 1992 Ordinance is hereby amended and restated as follows:

“For users of the sewage works that are unmetered water users or where accurate meter readings are not available, the monthly charge shall be determined as an

average of single dwelling units, except as herein provided. Sewage service bills shall be rendered once each month. The schedule on which said rates and charges shall be determined is as follows:

Unmetered Users (per month)

Residential Single Family
(assuming 4,000 gallons average): \$18.60

All other unmetered users: Rates to be determined by the Town on an individual basis by applying above rates to estimated usage.

Unmetered non “Residential Single Family Dwelling Units” shall be charged a rate to be determined by the Town on an individual basis by applying the above metered rates to estimated usage and meter size.”

Section 3. Section 4(a) of the 1992 Ordinance is hereby amended and restated as follows:

“Normal domestic sewage waste strength should not exceed a carbonaceous biochemical oxygen demand of 250 milligrams per liter of fluid, or total suspended solids in excess of 250 milligrams per liter of fluid or total kjehdahl nitrogen in excess of 30 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

- (i) Rate Surcharge Based Upon Total Suspended Solids. There shall be an additional charge of \$0.27 per pound of total suspended solids for total suspended solids received in excess of 250 milligrams per liter of fluid.
- (ii) Rate Surcharge Based Upon CBOD. There shall be an additional charge of \$0.26 per pound of carbonaceous biochemical oxygen demand for CBOD received in excess of 250 milligrams per liter of fluid.
- (iii) Rate Surcharge Based Upon TKN. There shall be an additional charge of \$0.06 per pound of total kjehdahl nitrogen demand for TKN received in excess of 30 milligrams per liter of fluid.”

Section 4. Any reference in the 1992 Ordinance to Hudson Foods shall be and is hereby amended to reflect Tyson Foods as successor to Hudson Foods.

Section 5. The schedule for determining the capacity fee component of the connection fee as set forth in Section 2.1G of the 2000 Ordinance, commencing on the bottom of page 21 thereof, is hereby amended and restated as follows:

<u>"Meter Size</u>		<u>Equivalent Ratio</u>	<u>Capacity Charge</u>
5/8 by 3/4	inch	1.0	\$ 1,500.00
1	inch	2.5	3,750.00
1 1/2	inch	5.0	7,500.00
2	inch	8.0	12,000.00
3	inch	15.0	22,500.00
4	inch	25.0	37,500.00
6	inch	50.0	75,000.00

Therefore, the minimum connection charge, subject to the above, would be \$2,175.00 (minimum capacity fee of \$1,500.00 plus the minimum tap fee of \$675.00)."

The minimum tap fee of \$675.00 and the inspection fee of \$50.00 as set forth in Section 2.1G of the 2000 Ordinance shall remain in full force and effect in accordance with the provisions of the 2000 Ordinance.

Section 6. There is hereby established a returned check fee in the amount of \$15.00 per returned check.

Section 7. There is hereby established a lien assessment charge of \$25.00 for each lien required in connection with the enforcement by the Town of the collection of delinquent fees and charges of the sewage works.

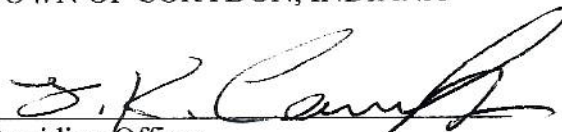
Section 8. All ordinances and parts of ordinances in conflict herewith, including the provisions of the 1992 Ordinance and the 2000 Ordinance as hereby amended, are hereby repealed. The provisions of the 1992 Ordinance and the 2000 Ordinance not amended hereby shall remain in full force and effect.

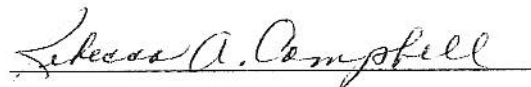
Section 9. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

Section 10. This ordinance shall be in full force and effect from and after its passage.

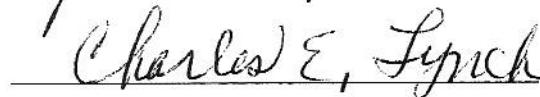
Passed and adopted by the Town Council of the Town of Corydon, Indiana, on this 27th day of November, 2006.

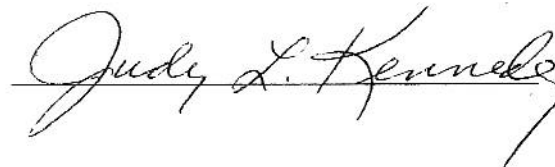
TOWN COUNCIL OF THE
TOWN OF CORYDON, INDIANA


Presiding Officer



Rebecca A. Campbell


Joseph Hinton


Charles E. Lynch


Judy L. Kennedy

Attest:


Janet L. Frederick
Clerk-Treasurer