

**ORDINANCE NO. 2011-15**

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

WHEREAS, the Town of Bargersville, Indiana (the "Town"), has heretofore constructed and has in operation a sewage works pursuant to IC 36-9-23 *et seq.* for the purpose of collecting and disposing in a sanitary manner the sewage of the residents and other non resident users of the sewer utility of the Town; and

WHEREAS, the Town Council of the Town (the "Council") has previously by ordinance established the existing schedule of user rates and charges for sewer service; and

WHEREAS, the Town has employed Reedy Financial Group, P.C. (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 dated August 2, 2011 (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 36-9-23-26, this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, IC 36-9-23-25, authorizes this Council to adopt by ordinance a just and equitable schedule of fees for sewer services rendered by the Town's sewage works; and

WHEREAS, because of and based upon such cost increases, it is just, equitable, and reasonable to amend the existing schedules of fees herein for users of the sewer system; and

WHEREAS, the Clerk-Treasurer of the Town 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 September 13, 2011 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 TOWN COUNCIL OF THE TOWN OF BARGERSVILLE, INDIANA:**

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.

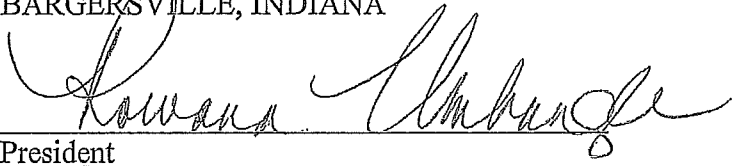
Section 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report and as provided on Exhibit A attached hereto are just and equitable and therefore should be adopted.


Section 3. Except as amended hereby, Ordinance No. 2008-7 and Ordinance No. 2006-5 shall remain in full force and effect.

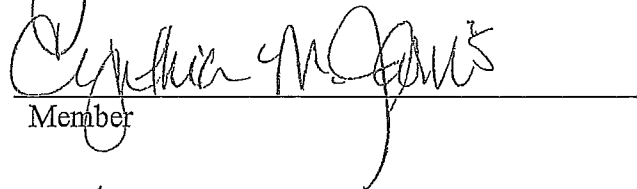
Section 4. This ordinance shall be in full force and effect from and after its passage.

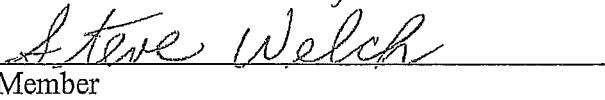
Passed and adopted this 13<sup>th</sup> day of September, 2011.

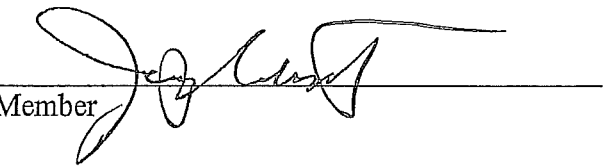
TOWN COUNCIL OF THE TOWN OF  
BARGERSVILLE, INDIANA

  
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President

  
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Member

  
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Member

  
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Member

ATTEST:

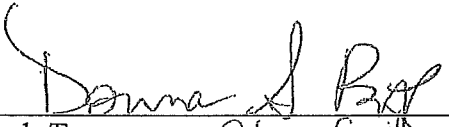
  
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Clerk-Treasurer - Chief Deputy

EXHIBIT A

The proposed Ordinance makes such amended rates and charges effective for each class of customers with the billing period commencing after adoption of this ordinance, which rates and charges are set forth below:

METERED USERS:

<u>Monthly Flow Rate</u>	<u>Rate</u>
Per 1,000 gallons –	\$8.25
Minimum Charge (2,000 gallons)	27.37

<u>Monthly Base Charge</u>	<u>Rate:</u>
5/8 or 3/4 inch meter	\$10.86
1 inch meter	23.25
1 1/2 inch meter	50.44
2 inch meter	85.00
3 inch meter	192.13
4 inch meter	332.19
6 inch meter	752.40
8 inch meter	1,338.22
10 inch meter	2,088.82