

ORDINANCE NO. 2024-02

**AN ORDINANCE TO AMEND THE SEWAGE RATES AND CHARGES
FOR THE TOWN OF NASHVILLE INDIANA**

WHEREAS, the Town of Nashville, Indiana (the “Town”) has established, acquired, and financed its sewage works pursuant to Indiana Code 36-9-23, as amended (the “Act”), for the purpose of providing for the collection, treatment and disposal of sewage from inhabitants in and around the Town; and

WHEREAS, Krohn & Associates, LLP, municipal advisor to the Town, has prepared a rate report concerning the current rates and charges of the sewage works (the “Report”); and

WHEREAS, based upon the Report, the Town Council of the Town (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 of the sewage works as set forth in Ordinance No. 2023-03 of the Town, adopted on April 6, 2023 (“Ordinance No. 2023-03”), 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 as set forth in Ordinance No. 2023-03 must be increased in order to provide sufficient revenue to meet such requirements; 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; and

WHEREAS, the Council has caused notice of a public hearing on the rates and charges set forth herein to be duly advertised and mailed, and has held a public hearing thereon, all pursuant to the Act;

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

Section 1. Section 3 of Ordinance No. 2023-03 is hereby amended and restated as follows:

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“Section 3. Rates & Charges

For the use of and the services rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected with the Town sanitary system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewage system of the Town of Nashville. Such rates and charges include user charges, debt service charges, which rates and charges shall be 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 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 sewer service, the water meters shall be read monthly, and the users shall be billed monthly (or period equaling a month). The water usage schedule on which the amount of said rates and charges are determined shall be as follows:

- 1) Consumption rate for all users shall be as follows:

- a. ALL CLASS I (INSIDE) USERS:

<u>Consumption Per Month</u>	<u>Rate per 1,000 Gallons</u>
First 2,000 gallons per month	\$13.72
Next 4,000 gallons per month	14.21
Next 9,000 gallons per month	14.89
Next 15,000 gallons per month	15.72
Over 30,000 gallons per month	16.73

- b. ALL CLASS II (OUTSIDE) USERS (Inside Town Plus 35%)

<u>Consumption Per Month</u>	<u>Rate per 1,000 Gallons</u>
First 2,000 gallons per month	\$18.52
Next 4,000 gallons per month	19.18
Next 9,000 gallons per month	20.10
Next 15,000 gallons per month	21.22
Over 30,000 gallons per month	22.59

- 2) Base rate for all users shall be as follows:

<u>Meter Size</u>	<u>Monthly Base Rate</u>
5/8" – 3/4" water meter	\$ 44.81
1" water meter	107.92
1 1/2" water meter	221.71
2" water meter	374.07
3" water meter	756.45

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4" water meter	1,331.19
6" water meter	2,703.32

- b) Sewage rates and charges being based on the quantity of water used and an organic loading equivalent to normal domestic sewage.
- c) Such rates and charges shall be prepared, billed, and collected by the Town of Nashville in the manner provided by law and this ordinance.
 - i. The rates and charges for all users shall be prepared and used monthly.
 - ii. The rates and charges may be billed to the tenant or tenants occupying the properties served, if requested by the owner in writing, but such billing shall in no way relieve the owner from liability in the event that payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records from the Town for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which said records are kept and during the hours that the office is open for business.
 - iii. All rates and charges not paid when due are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of rates or charges shall thereupon be added thereto per month. The time at which such rates or charges shall be paid is now fixed at seventeen (17) days after the date of mailing of the bill.

Unmetered Accounts

For users of the sewage works that are unmetered water users or accurate meter readings are not available, the monthly charge shall be determined by equivalent single family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges shall be determined is as follows:

<u>Residential</u>	<u>Monthly Rate in Town</u>	<u>Monthly Rate Outside Town</u> (Inside Town Plus 40%)
Single Family Residence/unit	\$123.06	\$172.28

- (a) Customers located outside the municipal corporate boundary may be entitled to petition the Indiana Utility Regulatory Commission to review and adjust the rates and charges if said rates and charges are greater than 15% higher.

Pump Station Fee

All users with simplex pump stations maintained by the Town and serviced by a 5/8" water meter service shall have a monthly fee of \$10.52 added to the monthly base rate.

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Connection Fees

Administrative and Review Fee for all new connections is \$100.00.

Gravity Connection

Gravity sewer connection within twenty (20) feet of an existing gravity sewer: Four-inch (4") sewer tap, for single-family residences and small businesses serviced by a 5/8" water meter. The basic charge for these materials and the necessary labor shall be at the current market rate. See Town Administration for a current price list. Where a gravity connection requires work and or materials above the work and material contemplated above, there shall be an additional charge for the actual costs of labor, material, power, machinery, transportation and overhead for installing the connection.

Pressure Connection

Pressure sewer connection within twenty (20) feet of an existing sewer main: *Simplex* or equivalent pumping station for single-family residences and small businesses serviced by a 5/8" water meter. The basic charge for these materials and the necessary labor shall be at the current market rate. See Town Administration for a current list price. Where a pressure connection requires work and or materials above the work and material contemplated above, there shall be an additional charge for the actual costs of labor, material, power, machinery, transportation and overhead for installing the connection.

- a) In order to recover the cost of monitoring industrial wastes the Town shall charge the user the actual costs of monitoring. This charge will be reviewed on the same basis as all other rates and charges in this ordinance.
- b) Whenever an extension of a sewer service main requires work over and above that of a four (4) inch sewer tap, an additional review fee of \$190.00 shall be charged and is to be paid prior to beginning review. Whenever the review of sewer requires work and/or materials in excess of six (6) hours and/or \$190.00, then the review fee shall be based on time and materials used in performing the review.

Hauled Wastewater

In the event that hauled wastewater is discharged into the Town's sewage system, a charge of \$64.56 per 1,000 gallons shall be in force. A minimum charge of 1,000 gallons shall be charged for each occurrence. All industrial hauled wastewater is subject to a rate, which if authorized by the Town, will be established on a case by case basis determination."

Section 2. 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 shall be given effect without such invalid part or parts.

Section 3. Except as amended hereby pursuant to Section 1 hereof, the Ordinance No. 2023-03 shall remain in full force and effect.

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Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed. As set forth in Section 1 hereof, this ordinance only amends Ordinance No. 2023-03 with respect to the matters set forth in Section 1 hereof.

Section 5. The rates and charges as set forth herein shall become effective during the April 2024 billing period.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE, BROWN COUNTY, INDIANA, THIS ____ DAY OF _____, 2024.

ATTEST:

Brenda K. Young
Clerk-Treasurer

_____	yea	nay	abstain
Council Member			
_____	yea	nay	abstain
Council Member			
_____	yea	nay	abstain
Council Member			
_____	yea	nay	abstain
Council Member			
_____	yea	nay	abstain
Council Member			