

AN ORDINANCE OF THE TOWN OF CHESTERTON, PORTER COUNTY, INDIANA, AMENDING ITS TOWN CODE CONCERNING RATES AND CHARGES TO BE COLLECTED BY THE TOWN FROM THE OWNERS OF PROPERTY SERVED

BY THE TOWN'S SEWAGE WORKS

WHEREAS, the Town of Chesterton owns and operates sewage works for the purpose of collecting and disposing of sanitary sewage in an appropriate manner; and

WHEREAS, the Town of Chesterton has previously established rates and charges to be collected by the Town from the owners of property served by the Town's sewage works in accordance with Indiana Code 36-9-23-25(a); and

WHEREAS, Section 25-87 of the Chesterton Town Code provides that the Town shall cause a study to be made every two years of the rates and charges for sewage services for the purposes of reviewing the fairness, equity and proportionality of the rates and charges for sewage services; and that the Town shall, upon completion of said study, revise and adjust the rates and charges, as necessary, in order to maintain the proportionality and sufficiency of the rates; and

WHEREAS, the Chesterton Utility Service Board has caused a study of the rates and charges in accordance with the Town Code and has recommended the adoption of the rates and charges contained in this Ordinance; and

WHEREAS, legal notice has been given and a public hearing has been conducted, all as required by law, concerning the changes contained in this Ordinance; and

WHEREAS, the Chesterton Town Council, having studied the matter and given consideration to the factors contained in I.C. 36-9-23-25, now finds it necessary to amend previously established rates and charges to be collected by the Town for services rendered by its sewage works.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Chesterton Town Council as follows:

SECTION 1: That Section 25-83(A) and Section 25-83(B) of the Chesterton Town Code shall be amended and hereafter read 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 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 bi-monthly and the users shall be billed bi-monthly (or period equaling two months). The water usage schedule is as follows:

All Class I users:

1.	a.	Treatment rate per 100 cubic feet of usage per reading period:			
		I/I	User	Debt	
		Charge	Charge	Service	Total
		\$0.28	\$2.08	\$1.08	\$3.44
	b.	Treatment rate per 1000 gallons of usage per reading period:			
		I/I	User	Debt	
		Charge	Charge	Service	Total
		\$0.37	\$2.77	\$1.43	\$4.57

2. Base rate Bi-monthly:

Metered Users:

Water Meter Size (Inches)	User Charge	Debt Service	Total
5/8" - 3/4"	\$27.75	\$12.39	\$40.14
1"	\$59.09	\$14.89	\$73.98
1 1/4" - 1 _"	\$128.02	\$18.19	\$146.21
2"	\$215.76	\$22.39	\$238.15
3"	\$487.33	\$35.39	\$522.72
4"	\$863.35	\$53.39	\$916.74
6"	\$1,928.74	\$104.39	\$2,033.13
8"	\$3,432.82	\$176.39	\$3,609.21
10"	\$5,354.70	\$268.39	\$5,623.09
12"	\$7,715.27	\$381.39	\$8,096.66

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

Unmetered Users:

		Bi-Monthly Rate	
	User Charge	Debt Service	Total
Residential: Single-family Dwelling Unit:	\$59.15	\$26.69	\$85.84

Outside Users

Monthly Rate

Flow rate per 1,000 gallons	\$4.06
Flow rate per 100 cu.ft.	3.05
Porter	\$2,666.03
Indian Boundary	\$258.00

SECTION 2: That Section 25-85(A) of the Chesterton Town Code shall be amended and hereafter read as follows:

A. Additional charges, for treating stronger-than-normal domestic waste shall be made on the following basis:

1. Rate surcharges based on suspended solids. There shall be an additional charge of twenty-four cents (\$0.24) per pound of suspended solids for suspended solids received in excess of two hundred (200) milligrams per liter of fluid.

2. Rate surcharges based on BOD. There shall be an additional charge of twenty-four cents (\$0.24) per pound of biochemical oxygen demand for BOD received in excess of two hundred (200) milligrams per liter of fluid.

ared (200) milligrams per liter of fluid.

3. Rate surcharges based upon ammonia. There shall be an additional charge of ninety-six cents (\$0.96) per pound of ammonia for ammonia received in excess of thirty (30) milligrams per liter of fluid.

4. Rate surcharges based upon phosphorus. There shall be an additional charge of ninety-six cents (\$0.96) per pound of phosphorus for phosphorus received in excess of ten (10) milligrams per liter of fluid.

SECTION 3: That Section 25-85(C)(1) and (C)(3)(1) of the Chesterton Town Code shall be amended and hereafter read as follows:

C. For users of the sewage works who are located within the special utility area, sewage service bills shall be rendered monthly, in arrears.

The Rate will be recalculated at the time of each biennial rate study. The Debt Service and Reserve Charge will never be greater than the initial Debt Service and Reserve Charge established at the time unmetered users within the special utility area first receive service. All collections of the Debt Service and Reserve Charge will be applied to the Debt serving as the basis of this charge. The Debt Service and Reserve Charge will be removed when the Debt serving as the basis of this charge is fully discharged. The basis upon which said rates and charges shall be determined is as follows:

1. Initial Unmetered Users:

Unmetered residential users within the special utility area shall be billed based upon the cost for unmetered users within the Town of Chesterton. In addition to the monthly User Charge, all unmetered residential users within the special utility area shall be billed a Debt Service and Reserve Charge. The initial Monthly Rate is as Follows:

Monthly Rate

User Charge	Debt Service and Reserve Charge	Total	
\$42.92	\$55.61		\$98.53

This rate will remain in effect until the next biennial rate study approved by the Board.

3. Metered Users:

Users within the special utility area whose water is metered shall be billed monthly based upon 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 pursuant to the treatment rate for Class I users set forth in Section 25-83(A)(1), plus a base charge based on the size of water meter installed charged in accordance with Section 25-83(A)(2).

In addition to the treatment rate and base charge, metered users within the special utility area shall be charged for monthly debt service and reserve payments. The Debt Service and Reserve Charge will be recalculated at the time of each biennial rate study. The Debt Service and Reserve Charge will never be greater than the initial Debt Service and Reserve Charge established at the time metered users within the special utility area first receive service. All collections of the Debt Service and Reserve Charge will be applied to the Debt serving as the basis of this charge. The Debt Service and Reserve Charge will be removed when the debt serving as the basis of this charge is fully discharged. The basis of the treatment rate and base charge shall be calculated as follows:

(1) Whispering Sands - Based on a 4" meter and flow charge rate of an outside user:

Monthly Rate		
User Charge	Meter Charge	Debt Service
\$4.06/1,000 gallons	\$458.37	\$4,517.80

SECTION 4: That Section 25-88(B) of the Chesterton Town Code shall be amended and hereafter read as follows:

B. The fee for a single-family connection to the Town's sanitary sewer system shall be determined as follows:

Calendar Year	Single Family Connection
2015	\$2,910.00
2016	2,986.00
2017	3,062.00
2018	3,138.00
2019	3,290.00

SECTION 5: This Ordinance shall be in full force and effect retroactively to December 10, 2016, after its adoption and publication as required by law.

ALL OF WHICH IS PASSED AND ADOPTED by the Chesterton Town Council, Porter County, Indiana, this 12th day of December, 2016.

CHESTERTON TOWN COUNCIL
Emerson DeLaney, President
James G. Ton
Lloyd Kittredge, Jr.
Nathan Cobbs
Dane Lafata

ATTEST:

Stephanie T. Kuziela
Clerk-Treasurer
12/21/16-hspaxlp