

TOWN OF NEW WHITELAND, INDIANA

ORDINANCE NO. 2020-11

**AN ORDINANCE AMENDING THE NON-RECURRING RATES
AND CHARGES OF THE NEW WHITELAND SEWAGE WORKS**

WHEREAS, the Town of New Whiteland, Indiana owns and operates Sewage Works;

WHEREAS, the Town Council for the Town of New Whiteland, Indiana (the "Council") is the governing board of the Town's Sewage Works and, in that capacity, sets just and equitable fees as required to maintain the Sewage Works in sound physical and financial condition, as necessary to render adequate and efficient service and sufficient to:

- (1) pay all expenses incidental to the operation of the works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (2) provide the sinking fund required by IC 39-9-23-21;
- (3) provide adequate money to be used as working capital; and
- (4) provide adequate money for improving and replacing the works.

WHEREAS, the fees charged and collected by the Town's Sewage Works include recurring charges, for the ongoing collection and treatment of wastewater, and non-recurring charges, which relate to new connections, inspections, and payment delinquency;

WHEREAS, the Council has determined that the current non- recurring charges of Town's Sewage Works' are insufficient;

WHEREAS, the Council has reviewed and considered a proposed schedule of non- recurring charges prepared by Therber, Brock and Associates, Inc., and has determined that they are appropriate to maintain the Sewage Works in sound physical and financial condition so as to render adequate and efficient service to the Town's Sewage Works' customers; and

WHEREAS, a public hearing on the proposed fees was properly noticed and held on June 16, 2020;

ACCORDINGLY, be it ordained by the Town Council for the Town of New Whiteland as follows:

Section 1. The Schedule of Non-Recurring Rates and Charge attached hereto as Appendix "A" are just and equitable fees as required to maintain the Town's Sewage Works in sound physical and financial condition so as to render adequate and efficient service and sufficient to:

- (1) pay all expenses incidental to the operation of the works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (2) provide the sinking fund required by IC 39-9-23-21;
- (3) provide adequate money to be used as working capital; and
- (4) provide adequate money for improving and replacing the works.

Section 2. The Non-Recurring Rates and Charges, as shown on Appendix "A," attached hereto, are hereby approved and adopted.

Section 3. The New Connection charges which are now included in Ordinance 2018-20 are stricken. The costs of new connections to the Town's Sewage Works will be borne by the property owner.

Section 4. As a condition to establishing a new account with the Town's Sewage Works, a New Account Deposit will be paid to and held by the utility. Any existing customer of the Town's Sewage Works, for whom the Town is not holding a deposit, upon having service discontinued because of nonpayment, shall, as a condition to reestablishing service, place and maintain on deposit with the Town a Delinquent Account Deposit.

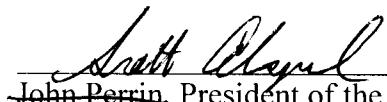
The Town may, in its discretion, apply a New Account Deposit or Delinquent Account Deposit, in whole or part, against any past due amounts owed. As a condition of maintaining service, any customer whose deposit is applied by the Town toward any past due amounts owed, shall, immediately, replenish their deposit.

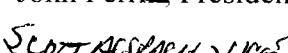
Section 5. The Council hereby authorizes and directs the appropriate officials and representatives of the Town to take all necessary actions to immediately implement this Ordinance and the rates, charges approved herein.

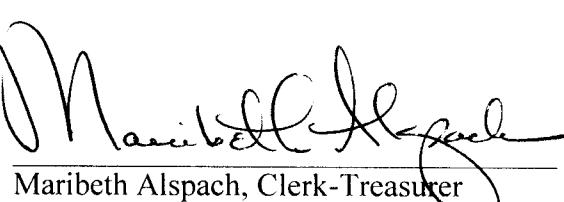
Section 6. All prior ordinances and parts of prior ordinances, to the extent they are in conflict herewith, are repealed as of the effective date of this Ordinance. All other prior ordinances and parts of prior ordinances, to the extent they are not in conflict herewith, remain in full force and effect.

Introduced and adopted, on first reading, by the Town Council of the Town of New Whiteland, on the 2nd day of June, 2020.

Passed and adopted, on second and final reading, by the Town Council of the Town of New Whiteland, on the 16th day of June, 2020.


John Perrin, President of the Town Council


Scott Alspach, Vice


Maribeth Alspach, Clerk-Treasurer

APPENDIX A
Schedule of Non- Recurring Charges

	Proposed	Current
Availability Fee/Sanitary- for each new connection (per EDU) ⁱ	1,100.00	-0-
Availability Fee/Storm Water- for each new connection (per EDU)	300.00	-0-
Permit and Connection Fee for New Sewer Connection	25.00	25.00
New Sanitary Sewer Connection Inspection Fee (per inspection)	75.00	-0-
New Account Deposit	75.00	75.00
Delinquent Account Deposit	75.00	75.00
Late Payment Penalty	10% of Balance	
Disconnection Fee*	25.00	- 0-
Bad Check Charge	20.00	40.00
Additional Charge for declined ACH transfer	15.00	15.00

ⁱ EDU, for purposes of this Ordinance shall mean 310 gpd/unit for single-family homes. For other uses, the EDU shall be derived from 327 Ind. Admin. Code 3-6-11 for the use which is most similar to the use proposed. The FCF (Flow Calculation Factor) applicable to the proposed use shall be divided by 310 and then that difference multiplied by the amount of the connection fee.

*In addition to the \$25.00 Disconnection Fee, the Town will charge and collect an additional \$65.00 on behalf of Indiana American Water as its fee for disconnecting water service because of nonpayment of sewer fees.