

ORDINANCE NO. 2022-2

**AN ORDINANCE AMENDING CHAPTER 51 OF
THE TOWN OF EDINBURGH'S CODE REGARDING MUNICIPAL
WATER RATES**

WHEREAS, the Town Council of the Town of Edinburgh, Indiana (the "Town Council" and the "Town", respectively), has previously established a schedule of water rates and charges as set forth in Chapter 51 of the Edinburgh Town Code (the "Code"); and

WHEREAS, the Town has removed its municipal water utility from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates and charges and the issuance of stocks, bonds, notes, or other indebtedness, and any other applicable matters; and

WHEREAS, the Town is required under Indiana Code § 8-1.5-3-8 to establish rates and charges that produce sufficient revenue to pay the following: (1) all the legal and other necessary expenses incident to the operation of the utility, including, maintenance costs, operating charges, upkeep, repairs, depreciation, interest charges on bonds or other obligations, including leases, and costs associated with the acquisition of utility property; (2) provide a sinking fund for liquidation of bonds or other obligations, including leases; (3) provide a debt service reserve for bonds or other obligations, including leases; (4) provide adequate money for working capital; (5) provide adequate money for making extensions and replacements to the extent not provided for through depreciation; (6) provide money for the payment of any taxes that may be assessed against the utility; and (7) a reasonable return on the utility plant of the municipality; and

WHEREAS, the Town Council finds that the water utility's current rates and charges will produce insufficient revenues to meet the requirements set forth above; and

WHEREAS, the Town Council finds that it is necessary to update the water utility's rates and charges as set forth in Chapter 51 of the Code; and

WHEREAS, the accounting firm of Baker Tilly Municipal Advisors, LLC, as municipal advisors to the Town, has prepared a rate report (the "Report") establishing a recommended schedule of water utility rates and charges, and the Town Council has reviewed the Report; and

WHEREAS, the Town Council finds that the rates and charges, as recommended by the Report, and as set forth herein, are sufficient to meet the requirements set forth above and are based on the cost of providing service to the water utility's customers; and

WHEREAS, the Town Council has caused notice of the 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 Indiana Code § 8-1.5-3-8.1.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EDINBURGH, INDIANA, as follows:

Section 1. Amendments to Code.

- a. The Town Council hereby finds and determines that, based upon the 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 interest charges on bonds or other obligations.

- b. The Town Council finds and determines that the proposed rates and charges set forth in the Report, and included herein, are nondiscriminatory, reasonable and just and therefore should be adopted.
- c. That the Town Council hereby amends Chapter 51 of the Code to be consistent with the recommendations contained in the Report as follows:

i. Section 51.02

- 1. Subsection (A) The current consumption per month meter rate shall be modified to the following:

<i>Consumption per Month</i>	<i>Rate per 1,000 Gallons</i>
<i>First 3,000 gallons</i>	<i>\$7.32</i>
<i>Next 7,000 gallons</i>	<i>5.86</i>
<i>Next 20,000 gallons</i>	<i>5.09</i>
<i>Next 70,000 gallons</i>	<i>4.38</i>
<i>Next 100,000 gallons</i>	<i>3.65</i>
<i>Over 200,000 gallons</i>	<i>3.25</i>

- 2. Subsection (B) – the minimum charge per month shall be modified to the following:

<i>Size of Meter</i>	<i>Monthly Gallonage</i>	<i>Monthly Charge</i>
<i>5/8 inch meter</i>	<i>3,000</i>	<i>\$ 21.96</i>
<i>3/4 inch meter</i>	<i>3,868</i>	<i>27.05</i>
<i>1 inch meter</i>	<i>5,925</i>	<i>39.10</i>
<i>1 1/4 inch meter</i>	<i>8,792</i>	<i>55.90</i>
<i>1 1/2 inch meter</i>	<i>12,337</i>	<i>74.88</i>
<i>2 inch meter</i>	<i>21,804</i>	<i>123.06</i>
<i>3 inch meter</i>	<i>53,620</i>	<i>268.24</i>
<i>4 inch meter</i>	<i>75,177</i>	<i>362.66</i>
<i>6 inch meter</i>	<i>150,288</i>	<i>654.93</i>
<i>8 inch meter</i>	<i>240,000</i>	<i>966.38</i>
<i>10 inch meter</i>	<i>345,000</i>	<i>1,307.63</i>

3. Subsection (C)

- a. The following shall be modified in subsection (1):

i. *Private Hydrants - \$1,906.29 each*

ii. *Private Fire Protection (Automatic Sprinkler Systems):*

<i>1 inch connection</i>	<i>\$73.30</i>
<i>2 inch connection</i>	<i>219.94</i>
<i>3 inch connection</i>	<i>476.56</i>
<i>4 inch connection</i>	<i>843.15</i>
<i>6 inch connection</i>	<i>1,906.29</i>
<i>8 inch connection</i>	<i>3,372.66</i>
<i>10 inch connection</i>	<i>5,278.98</i>

- b. The following shall be modified in subsection (2):

<i>Meter Size</i>	<i>Monthly Charge</i>
<i>5/8 inch meter</i>	<i>\$14.11</i>
<i>3/4 inch meter</i>	<i>14.11</i>
<i>1 inch meter</i>	<i>35.30</i>
<i>1 1/2 inch meter</i>	<i>70.58</i>
<i>2 inch meter</i>	<i>112.93</i>
<i>3 inch meter</i>	<i>211.75</i>
<i>4 inch meter</i>	<i>352.90</i>

4. The following shall be added to Section 51.02 as a new Subsection (E):

(E) Bulk Water Sales. Users that purchase water in bulk from the Town shall pay the following administration fee and rate per 1,000 gallons:

Administration Fee:	\$20.00
Rate per 1,000 gallons:	\$3.25

Section 2. Public Benefit

- a. That the Town Council finds that this Ordinance will be in the best interest of the Town and for the benefit of the public and residences of the Town.

Section 3. Repealer.

- a. All ordinances and parts of ordinances inconsistent with any provision of this Ordinance are hereby repealed.

Section 4. Severability.


- a. In the event any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect.

Section 5. Effective Date.

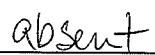
- a. This Ordinance shall be in full force and effect from and after its passage.

Passed and adopted by the Town Council of the Town of Edinburgh, Indiana, on this 28th day of March, 2022.

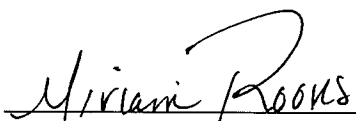
TOWN COUNCIL
TOWN OF EDINBURGH, INDIANA




Ryan Piercefield, President



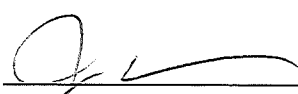
Debbie Buck, Member



Miriam Rooks, Member




Dawn Graham, Member



Jeffrey Simpson, Member

ATTEST:



Scott Finley, Clerk-Treasurer