

ORDINANCE NO. 2015-2

**AN ORDINANCE AMENDING CHAPTER 50
OF THE TOWN OF EDINBURGH'S CODE REGARDING
MUNICIPAL SEWAGE WORKS**

WHEREAS, Indiana Code 36-9-23, gives the legislative body of the Town of Edinburgh ("Town") the power to charge for municipal sewage works within the Town;

WHEREAS, § 50 of the Edinburgh Town Code ("Code") provides for certain sanitary sewage treatment plant charges for the Town and other matters relating to said treatment;

WHEREAS, the Edinburgh Town Council ("Council") passed Ordinance 2007-7 that adopted the current charges and rates applicable to the Town's sanitary sewage treatment plant; ("2007 Ordinance")

WHEREAS, on the 27th day of April, 2015, H.J. Umbaugh and Associates presented an Account Report on Rate Study of the Town of Edinburgh Municipal Sewage Works, which was adopted by the Council; ("Study")

WHEREAS, the Council desires to modify the Code to provide an amended rate schedule pertaining to the sanitary sewage treatment plant in order to maintain the viability and level of service to the residence of the Town;

NOW, THEREFORE, BE IT ORDAINED BY THE EDINBURGH TOWN COUNCIL, AS FOLLOWS:

I. SECTION 1. AMENDMENTS TO CODE

- a. That the Council hereby amends the Chapter 50; of the ("Code"), to be consistent with the recommendations contained in the Study.
- b. Any and all parts of the Code shall be amended to adopt and be consistent with the rates provided in Phase I and Phase II of the Study.
- c. Specifically the following Sections of the Code shall be amended as follows:
 - i. Section 50.53
 1. Subsection (A) – the last sentence of the introductory paragraph that reads "*The following flat fee charges shall be based upon the water meter size*" shall be deleted and replaced with "*The following flat fee*

charges, with the effective date of July 1, 2015 for Phase I and July 1, 2016 for Phase II, shall be based upon the water meter size”

2. Subsection (A) – the rates contained therein shall be amended as follows:
 - a. 5/8 Inch meter - \$13.25 for Phase I and \$15.50 for Phase II;
 - b. 3/4 Inch Meter - \$16.87 for Phase I and \$19.74 for Phase II;
 - c. 1 Inch Meter - \$24.50 for Phase I and \$28.67 for Phase II;
 - d. 1 1/4 Inch Meter - \$35.61 for Phase I and \$41.66 for Phase II;
 - e. 1 1/2 Inch Meter - \$43.24 for Phase I and \$50.59 for Phase II;
 - f. 2 Inch Meter - \$65.73 for Phase I and \$76.90 for Phase II;
 - g. 3 Inch Meter - \$118.11 for Phase I and \$138.19 for Phase II;
 - h. 4 Inch Meter - \$193.10 for Phase I and \$225.93 for Phase II;
 - i. 6 Inch Meter - \$380.31 for Phase I and \$444.96 for Phase II;
 3. Subsection (B) – the flow rate contained in this section shall be amended to \$5.48 for Phase I (effective July 1, 2015) and \$6.41 for Phase II (effective July 1, 2016).
 4. Any and all unmetered customers shall be charged a monthly flat rate of \$38.88 for Phase I (effective July 1, 2015) and \$45.49 for Phase II (effective July 1, 2016);
- ii. Section 50.58
1. Subsection (B) – the introductory sentence stating “*Extra charges based on the strength of the sewage and liquid wastes shall be made on the following basis*” shall be deleted and replaced with “*Extra charges based on the strength of the sewage and liquid wastes shall be made on the following basis with Phase I being implemented on July 1, 2015 and Phase II being implemented on July 1, 2016.*”
 2. Subsection (B)(1) – the fee surcharge based upon suspend solid shall be amended to \$0.30 for Phase I and \$0.30 for Phase II;
 3. Subsection (B)(2) – the fee surcharge based upon BOD shall be \$0.30 for Phase I and \$0.30 for Phase II;

4. Subsection (B)(3) – the fee surcharge based upon Ammonia-as-

~~nitrogen shall be amended to \$0.81 for Phase I and \$0.81 for Phase II;~~

II. SECTION 2. PUBLIC BENEFIT

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

III. SECTION 3. REPEALER

a. All ordinances or parts of ordinances in conflict with provisions of this Ordinance are hereby repealed.

IV. SECTION 4. SEVERABILITY

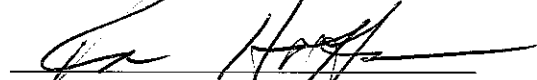
a. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be unconstitutional or invalid.

V. SECTION 5. EFFECTIVE DATE

a. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

ADOPTED this 26 day of May, 2015.

EDINBURGH TOWN COUNCIL

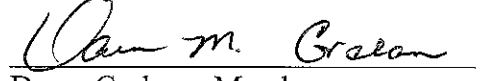


Ron Hoffman, Council President



Kami Ervin, Vice President

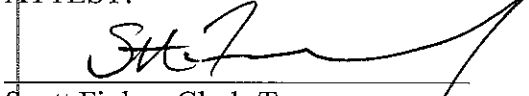
Jack Shepherd, Member



Dawn Graham, Member

Jeffrey A. Simpson, Member

ATTEST:



Scott Finley, Clerk-Treasurer