

ORDINANCE NO. 5-2020

AN ORDINANCE AMENDING ORDINANCE NO. 8-2010, ESTABLISHING NEW RATES AND CHARGES FOR THE USE AND SERVICES RENDERED BY THE SEWAGE WORKS SYSTEM OF THE TOWN OF MOORESVILLE, INDIANA

WHEREAS, the Town of Mooresville, Indiana (the "Town"), has heretofore constructed and has in operation a sewage works utility; and

WHEREAS, the Town Council of the Town (the "Council") has previously established the existing schedule of user rates and charges for sewage works service, pursuant to Ordinance No. 8-2010, adopted by the Council on July 20, 2010; and

WHEREAS, the Town has employed Baker Tilly Municipal Advisors, LLC (the "Municipal Advisor") to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Municipal Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that 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 the payment of principal and interest on bonds, future bonds or other obligations; and

WHEREAS, pursuant to IC 36-9-23, as amended (the "Act"), this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, the Clerk-Treasurer of the Town has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on the date hereof, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOORESVILLE, INDIANA, THAT:

SECTION 1. The Council hereby finds and determines that, based upon the Rate 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 the payment of principal and interest on bonds, future bonds or other obligations.

SECTION 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report are nondiscriminatory, reasonable and just, and therefore should be adopted.

SECTION 3. The Council finds and determines that the proposed rates set forth in Exhibit A hereto are nondiscriminatory, reasonable and just, and should be adopted.

SECTION 4. Any adjustments or allowances made to sewage bill quantities under any provision of Ordinance No. 8-2010 or otherwise shall be in the form of a rebate (rather than a discount) and paid from revenues available in the Improvement Fund.

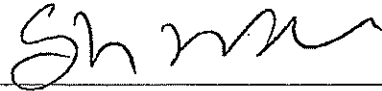
SECTION 5. With respect to any billing and liability for landlords of a tenant's usage, the Town shall comply with the applicable provisions of IC 8-1.5-3-8, as amended.

SECTION 6. Any special rate contracts authorized by Ordinance No. 8-2010 shall be in compliance with, and subject to, any tax-exempt bond covenants of the Town.

SECTION 7. All other provisions of Ordinance No. 8-2010 not amended by this ordinance shall remain in full force and effect.

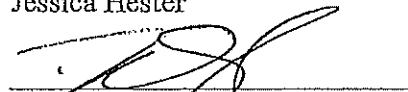
SECTION 8. This ordinance shall be in full force and effect from and after its passage. This ordinance shall be effective for January, 2021 usage and February, 2021 billing.

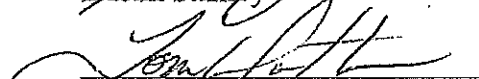
Passed and adopted by the Town Council of the Town of Mooresville, Indiana, on the 21<sup>st</sup> day of April, 2020.

  
Shane Williams, President

*Via Phone*  
Jeff Cook

*Via Phone*  
Jessica Hester

  
Dustin Stanley

  
Tom Warthen

ATTEST:


  
Dianna L. Wamsley, Clerk-Treasurer

EXHIBIT A

MOORESVILLE (INDIANA) MUNICIPAL SEWAGE  
WORKS

SCHEDULE OF NEW RATES AND CHARGES

[attached]

MOORESVILLE (INDIANA) MUNICIPAL SEWAGE WORKS

SCHEDULE OF RATES AND CHARGES

I. Metered Usage

5/8 inch meter	\$25.30
3/4 inch meter	33.70
1 inch meter	56.65
1 1/4 inch meter	87.95
1 1/2 inch meter	125.60
2 inch meter	213.50
3 inch meter	485.30
4 inch meter	840.75
6 inch meter	1,907.20
8 inch meter	3,394.05
Flow charge (per 1,000 gallons)	\$5.18
Fixed Minimum Residential Charge (2,000 gallons or less)	\$27.09

II. Unmetered Usage (per month)

Residential (assuming 6,600 gallon average)	
Single family residence/unit	\$59.49
Apartment or trailer court/unit	44.62
Commercial	
Retail establishment:	
First 3 employees	\$59.49
Each additional employee	14.87
Gasoline service station	
With car wash facilities	148.73
Without car wash facilities	118.98
Restaurants, drive-ins and taverns with eating and /or drinking facilities	
First 2 employees	59.49
Each additional employee	20.85
Laundromats	
Per washer	44.62
Car wash - manual	
Per bay	148.73
Shop or office in home	118.98
Professional office	
First 2 employees	59.49
Each additional employee	20.85

## MOORESVILLE (INDIANA) MUNICIPAL SEWAGE WORKS

(Cont'd)

SCHEDULE OF RATES AND CHARGES

Governmental/Institutional	
School/student:	
First 25 students	\$59.49
Each additional student	2.38
Churches, lodges and veteran organizations without eating and/or drinking facilities For each 200 members or faction thereof	59.49
Government offices	
First 3 employees	59.49
Each additional employee	14.87
Industrial (sanitary flow only)	
First 3 employees	\$59.49
Each additional employee	14.87
Two or more dwelling units sharing a single water meter:	
Minimum bill shall not be less than the number of dwelling units times	\$25.30