

ORDINANCE NO. 2018-04-01

AN ORDINANCE AMENDING RATES AND CHARGES COLLECTED BY THE CITY OF WARSAW, INDIANA, WITH RESPECT TO ITS SEWAGE WORKS TO INCLUDE A SUMMER CREDIT FOR DWELLING UNITS

WHEREAS, the City of Warsaw, Indiana (“City”) owns and operates a municipal sewage works utility (the “Sewage Works”) which collects and treats wastewater; and

WHEREAS, the Common Council of the City (the “Common Council”) previously adopted Ordinance No. 2017-10-09 on November 20, 2017 (the “2017 Amendment”), to amend Chapter 78, Division 4 of the City Code to modify the rates and charges collected by the City from users of the Sewage Works including to provide for a flow charge for metered customers of Indiana American Water; and

WHEREAS, the Common Council desires to provide a further amendment to include a credit for increased water usage in the summer months;

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WARSAW, INDIANA, as follows:

SECTION 1. Amendment. Section 78-155 of Chapter 78 of the City Code of the City is hereby amended to read as follows:

Section 78-155. Metered Domestic, Non-Domestic or Other Users

(a) The following rates and charges shall apply to all domestic and non-domestic users (who are metered customers of Indiana American Water) and shall be based upon the water used on the premises and returned to the sewage works for treatment:

	<u>User Charge</u>	<u>I/I Charge</u>	<u>Debt Service All Users</u>	<u>Debt Service Warsaw</u>	<u>Total</u>
Flow Charge (per 1,000 gallons)	\$3.73	\$.63	\$.44	\$.85	\$5.65

(b) So that dwelling units are not penalized for the normal increased use of water during the summer months, specifically the period of mid-April through mid-September (the “Consumption Period”) (reflected on sewage works billings issued monthly from June through and including October), the monthly flow charge billing for each dwelling unit for such Consumption Period shall (upon request as provided herein) equal the average of the water usage as determined by the meter readings taken in (i) for 2018, the previous months of November,

December, and January (reflected on sewage works billings issued in January, February, and March, respectively) and (ii) for each year thereafter, the previous months of October, November, and December (reflected on sewage works billings issued in November, December, and January, respectively) (such three month period being referred to herein as the "Base Period"). In the event that the average water usage for the applicable Base Period is greater than the water usage for any monthly billing period of the Consumption Period, then the Flow Charge for such monthly billing period shall be computed on the actual water usage for such monthly billing period. To receive the credit provided herein, Owners of a dwelling unit served by the Sewage Works must submit in writing to the Sewage Works a request for application of this Subsection (b) by the Sewage Works which request will remain in effect for so long as the owner continues to own the dwelling unit. A request may not be retroactive. Upon an ownership transfer of a dwelling unit, the new owner must make a similar request in writing to receive the benefit of this Subsection (b).

SECTION 2. Intent. It is the intent of this Common Council that the provisions of this Ordinance be incorporated in the City Code of Warsaw, Indiana, and said provisions may be modified as necessary to accomplish such intent.

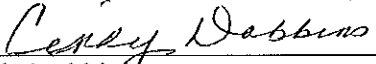
SECTION 3. Repeals. Sections 78-155 City Code, as previously amended by the Amendment, is hereby repealed and all other Ordinances and parts of Ordinances in conflict herewith are hereby repealed or amended to the extent of such conflict

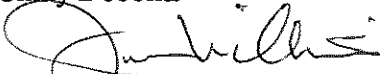
SECTION 4. Effective Date. This Ordinance shall be in full force and effect after its passage and publication as required by law.

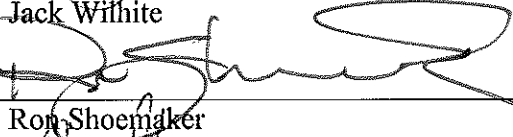
PASSED AND ADOPTED, by the Common Council of the City of Warsaw, Indiana this 11th day of April, 2018.

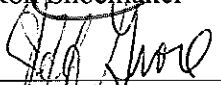
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Cindy Dobbins



Jack Wilhite


Ron Shoemaker

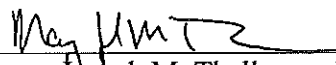

Jeff Grose


Mike Klondaris

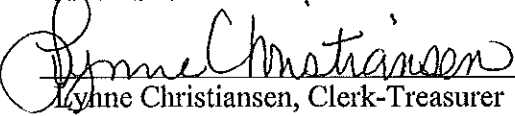

William Frush


Diane Quance

Presented to and approved by me on this 11th day of April, 2018.


Mayor Joseph M. Thallemer, Presiding Officer
Common Council, City of Warsaw

ATTEST:


Lynne Christiansen, Clerk-Treasurer