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CH20 20 .9 - Amend Water Rate Ordinance

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

Whereas, the Town of Lapel, Indiana (the "Town"), has heretofore constructed and has in operation a water works utility; and

Whereas, the Town Council of the Town (the "Council") has previously established the existing schedule of user rates and charges for water service, pursuant to Ordinance No. 8, 2010, adopted by the Council on June 17, 2010; and

Whereas the Town has employed Patrick Callahan, Certified Public Accountant (the "Financial Advisor") to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

Whereas the Financial 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 Indiana Code [8-1.5](#), 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 October 13, 2011 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 LAPEL, INDIANA, AS FOLLOWS:

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 and 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: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 5: This ordinance shall be in full force and effect from and after its passage. This ordinance shall be effective for bills rendered on and after the day after adoption of this ordinance or such later date as set forth in Exhibit A hereto.

ALL OF WHICH IS PASSED AND ADOPTED THIS 25TH DAY OF OCTOBER 2011, BY THE TOWN COUNCIL OF THE TOWN OF LAPEL, MADISON COUNTY, INDIANA.

EXHIBIT A

SCHEDULE OF PROPOSED RATES

<u>METERED RATES PER MONTH</u>	<u>RATE PER 1,000 GALLONS</u>
First 2,000 gallons	\$9.20
Next 4,000 gallons	\$8.35
Next 9,000 gallons	\$7.10
Next 15,000 gallons	\$6.44

Over 30,000 gallons

\$4.65

MINIMUM CHARGE PER MONTH

MINIMUM CHARGE

SIZE OF METER

5/8 to 3/4 inch	\$18.40
1 inch	\$27.74
1 1/4 inch	\$46.18
1 1/2 inch	\$64.56
2 inch	\$73.93
3 inch	\$92.31
4 inch	\$147.86
6 inch	\$230.84

Further Information

9-2011

Date Passed: 10/20/2011