

**ORDINANCE NO. 2016-16**

**TO AMEND SECTIONS OF THE ELLETTSVILLE TOWN CODE REGARDING  
MONTHLY RATES,  
CONNECTION AND TAP CHARGES  
and  
EXCESSIVE STRENGTH SURCHARGES**

**WHEREAS**, the Town of Ellettsville, Indiana ("Town"), owns and operates a municipal sewage works system, ("Sewage Works") by and through its Town Board ("Board"), furnishing sewer services to the public in and around the Town and collecting rates and charges for such services pursuant to IC § 36-9-23 et seq.; and

**WHEREAS**, the Sewage Works' previous rate study and wholesale cost of service study was completed in 2008 and cost of service studies should be updated periodically; and

**WHEREAS**, the Board authorized utility financial consultants, H.J. Umbaugh & Associates, Certified Public Accountants, LLC ("H.J. Umbaugh") to perform a municipal sewage works cost of service rate study; and

**WHEREAS**, H.J. Umbaugh completed its Cost of Service Rate Study dated November 28, 2016 and presented its findings to the Board; and

**WHEREAS**, the Cost of Service Rate Study revealed that the Sewage Works has experienced a decrease in debt service requirements but has incurred increases in operating expenses, costs to maintain Critical Infrastructure Protection standards, and equipment replacement requirements, resulting in a significant change in revenue requirements; and

**WHEREAS**, the Board, based upon data furnished by H.J. Umbaugh, hereby adopts a new schedule of rates and charges to establish just and equitable fees for the services offered by the Sewage Works in order to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient services; and

**WHEREAS**, the Board, pursuant to Indiana Code § 36-9-23-25, has the power, authority and responsibility to approve charges, just and equitable fees for services rendered by the Sewage Works.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF ELLETTSVILLE, INDIANA;**

**Section 1.** There shall be and there are hereby established for the services rendered by the Sewage Works system of the Town of Ellettsville, Indiana, the following rates and charges, during each monthly billing period, and Appendix A to Chapter 52 of the Ellettsville Town Code is hereby

amended. The current version of Appendix A is hereby repealed in its entirety and is replaced with the following:

APPENDIX A: SCHEDULE OF MONTHLY RATES

The following are the monthly rates and charges until thereafter amended:

(A) *Metered water users.* The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to these rates and charges, as the same is measured by the water meter there in use, plus a base charge based on the size of the water meter installed, except as otherwise provided in this chapter. For the purpose of billing and collecting the charges for sewage service, the water meters shall be read monthly (or period equaling a month). The water usage schedule on which the amount of the rates and charges shall be determined is as follows:

(1) *Treatment rate, per 1,000 gallons of usage per month*

**Monthly Treatment Rate Flow Charge Per 1,000 Gallons**

<i>User</i>	<i>User Charge</i>
Ellettsville customers	\$4.76
Eastern Richland Sewer Corporation	\$4.17

(2) *Base rate, per month, for Ellettsville customers.*

**Monthly Treatment Rate**

<i>Ellettsville customers, metered users</i>	<i>User Charge</i>
Five-eighths to three-fourths-inch meter	\$ 19.95
One-inch meter	\$ 44.45
One and one-fourth-inch meter	\$ 68.95
One and one-half inch meter	\$ 98.40
Two-inch meter	\$ 167.00
Three-inch meter	\$ 379.45
Four-inch meter	\$ 657.20
Six-inch meter	\$1490.55

(B) *Unmetered water users.* For users of the sewage works that are unmetered or for whom accurate meter readings are not available, the monthly charge shall be \$44.70 per month for a

residential single family dwelling. Non-residential unmetered users shall be charged a rate based upon estimated monthly usage to be determined by town officials on an individual basis.

**Section 2.** The following revisions are hereby made to Sections 52.112 and 52.114 of the Ellettsville Town Code regarding connection and tap charges and excessive strength surcharges. When an existing section of the ordinance is being amended, the text of the existing provision will appear in this style type, additions will appear **in this style type**, and deletions will appear ~~in this style type~~.

### **§ 52.112 CONNECTION AND TAP CHARGES.**

- (A) Any owner of a lot, parcel of real estate, or building who is not a wholesale customer or a customer of the wholesale users and is connecting to the sewage works shall, prior to being permitted to make a connection, pay an availability fee of ~~\$1,500~~ **\$2,000** if the connection is for a single-family dwelling unit, and an availability fee of an amount to be determined by the Council for all other proposed uses. The Council now finds such a connection charge fee to be a reasonable and equitable pro rata cost of constructing the plant and interceptor lines.
- (B) Properties owned by the Town or its Utility Department are exempt from the connection charge and availability fee.
- (C) In calculating the sewer availability fee for all other proposed users referred to in division (A) above, the estimated flow in gallons per day shall first be determined. This amount shall then be divided by 310 gallons per day to ascertain the number of units. Each unit will then be assigned a value of ~~\$1,500~~ **\$2,000**. The resulting availability fee will equal the number of units times ~~\$1,500~~ **\$2,000**. The minimum availability fee will be ~~\$1,500~~ **\$2,000**.
- (D) The cost of tapping into a sewer main shall be the cost of labor, equipment, and materials.
- (E) **All customers of the wholesale users shall pay an availability fee of \$2,000 for all single family dwelling units prior to connecting to the Sewage Works. In calculating the sewer availability fee for all other customers of the wholesale users for property other than single family dwelling units, the fee shall be calculated as described in Section 52.112 (C), above. The Council now finds that such connection fee charges are reasonable and equitable pro rata costs of constructing the plant and receptor lines. The sewer availability fee charged is in addition to any sewer availability fees charged by the customer's wholesale user of the Sewage Works.**

**§ 52.114 EXCESSIVE STRENGTH SURCHARGE.**

(A) In order that the rates and charges may reflect the costs of providing services rendered to users, the town shall base its charges not only on the volume, but also on the strength and character of the stronger-than-normal domestic sewage and wastes which it is required to treat and dispose. The town shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly, into the sanitary sewerage system, in the manner and by that method as the town may deem practicable in order to determine the proper charge. The user shall furnish a central sampling point available to the town at all times.

(B) Normal domestic sewage and waste strength should not contain BOD in excess of ~~215~~ **250** milligrams per liter of fluid, S.S. in excess of 250 milligrams per liter of fluid, ~~or~~ **NH<sub>3</sub>N** in excess of 25 milligrams per liter of fluid, **or Phosphorus in excess of 8 milligrams per liter of fluid.** The excessive strength surcharge shall be made on the following basis:

(1) *Rate of surcharge based upon BOD.* There shall be an additional charge of ~~\$0.16~~ **\$0.35** per pound of BOD for BOD received in excess of ~~215~~ **250** milligrams per liter of fluid;

(2) *Rate of surcharge based upon S.S.* There shall be an additional charge of ~~\$0.15~~ **\$0.12** per pound of S.S. for S.S. received in excess of ~~150~~ **250** milligrams per liter of fluid; ~~and~~

(3) *Rate of surcharge based upon NH<sub>3</sub>N.* There shall be an additional charge of ~~\$0.45~~ **\$1.18** per pound of ammonia for NH<sub>3</sub>N received in excess of 25 milligrams per liter of fluid; **and**

(4) *Rate of surcharge based upon Phosphorus.* **There shall be an additional charge of \$3.68 per pound of phosphorus received in excess of 8 milligrams per liter.**

(C) The determination of S.S., BOD, ~~and~~ **NH<sub>3</sub>N and Phosphorus** contained in the waste shall be in accordance with the latest copy of Standard Methods for the Examination of Water, Sewage, and Industrial Wastes, as written by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in conformance with Guidelines Establishing Test Procedures for Analysis of Pollutants, published in the Federal Register on October 16, 1973 (40 C.F.R. 136.1 *et seq.*).

**Section 3.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Passed and adopted by the Town Council of the Town of Ellettsville this 23<sup>rd</sup> day of January, 2017.

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Brian Scott Oldham, President  
Ellettsville Town Council

ATTEST:

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Clerk-Treasurer

This Ordinance was published in the Ellettsville Journal on the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Sandra C. Hash, Clerk/Treasurer