

ORDINANCE NO. 3927

AN ORDINANCE AMENDING SECTION 50.112 OF THE CITY CODE RELATING TO THE RATES AND CHARGES OF THE SEWAGE WORKS OF THE CITY

WHEREAS, the City of New Castle, Indiana (“City”) has established, acquired and financed a sewage works pursuant to Indiana Code §36-9-23 (the "Act") and has established rates and charges for the use of the sewage works as set forth in Section 50.112 of the City Code; and,

WHEREAS, Baker Tilly Municipal Advisors, LLC, financial advisor to the City, has prepared a rate report concerning the current rates and charges of the sewage works'

WHEREAS, based upon the report, the Common Council finds that the current rates and charges for the use of and service rendered by the sewage works do not produce sufficient revenues to pay all the legal and necessary expenses incident to the operation of such sewage works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals and interest charges on bonds or other obligations of the sewage works, to provide a sinking fund for the liquidation of indebtedness, and to provide adequate funds to used as working capital and funds for making extensions and replacements and to make payments in lieu of taxes; and,

WHEREAS, based upon the report, the Council finds that the current rates and charges of the sewage works do not produce an income sufficient to maintain the sewage works property in a sound physical and financial condition to render adequate and effective service; and,

WHEREAS, the Council finds that the current rates and charges for the use of and service rendered by the sewage works must be increased in order to provide sufficient revenue to meet such requirements; and

WHEREAS, the Council finds that the rates and charges should be increased in two phases as described in this Ordinance; and

WHEREAS, the Council finds that the rates and charges set forth in this Ordinance are based upon the cost of providing service to the customers of the sewage works and will enable the City to meet its legal revenue requirements for the sewage works;

WHEREAS, the Council has caused notice of a public hearing on the rates and charges to be duly advertised and mailed, and has held a public hearing thereon, all pursuant to the Act.

NOW THEREFORE BE ORDAINED BY THE COMMON COUNCIL of the City of New Castle, Indiana as follows:

1. Section 50.112 of the City Code is hereby amended as follows:

	<u>Present (1)</u>	<u>Phase I</u>	<u>Phase II</u>
I. <u>Treatment Rate (per 100 cubic feet):</u>			
Class I - Residential	\$5.04	\$5.47	\$5.90
Class II - Commercial, Governmental, Institutional	4.66	5.06	5.46
Class III - Industrial	4.57	4.96	5.35
Plus			
II. <u>Base Rate (all classes):</u>			
5/8 inch meter	\$31.30	\$33.99	\$36.68
3/4 inch meter	31.30	33.99	36.68
1 inch meter	77.85	84.55	91.23
1 1/4 inch meter	124.05	134.72	145.36
1 1/2 inch meter	179.85	195.32	210.75
2 inch meter	309.45	336.06	362.61
3 inch meter	710.75	771.87	832.85

4 inch meter	1,267.10	1,376.07	1,484.78
6 inch meter	2,842.45	3,086.90	3,330.77
8 inch meter	5,124.40	5,565.10	6,004.74
III. <u>Flat rates:</u>			
Residential sewage only:	\$64.69	\$70.25	\$75.80
Commercial sewage only:	124.73	135.46	146.16
Sewage permit fee	\$25.00	\$25.00	\$25.00
IV. <u>Excessive Strength Surcharges (per pound):</u>			
Biochemical oxygen demand in excess of 200 mg/l	\$0.77	\$0.84	\$0.91
Suspended solids in excess of 250 mg/l	0.61	0.66	0.71
Phosphorus in excess of 10 mg/l	6.12	6.65	7.18
Oil and grease in excess of 100 mg/l	0.74	0.80	0.86
V. <u>Septic Haulers and Travel Trailers:</u>			
Septic Haulers - per 100 gallons	\$13.16	\$14.29	\$15.42
Travel Trailers - flat			
fee 1-100	13.16	14.29	15.42
101-200	26.32	28.58	30.84
201-300	39.48	42.88	46.27

2. An additional charge shall be imposed for users of the City's sewage works located outside the corporate limits of the City in the amount of 14.5% of the billing, calculated by applying the 14.5% surcharge to each of the rates established above. A debt service surcharge in the amount of \$33.18 per month will continue to be assessed on certain users in the White Estates Subdivision, Walnut Acres Addition and South Walnut Acres Addition as provided by Ordinance 3786 adopted by the Common Council on July 2, 2018.

3. The Phase I rates and charges shall take effect immediately upon passage. The Phase II rates and charges shall take effect on January 1, 2026.

4. All other provisions of Section 50.112, which are not expressly modified by this Ordinance, shall continue in effect.

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

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS _____ DAY OF _____, 2024.

 Greg York, Presiding Officer,
 Common Council, City
 of New Castle, Indiana

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NAY

ATTEST:

Ashley Huffman, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2024.

Greg York, Mayor of the City
of New Castle, Indiana