

**ORDINANCE NO. 3928**

**AN ORDINANCE AMENDING SECTION 51.25 OF THE CITY CODE RELATING TO THE RATES AND CHARGES OF THE WATER WORKS OF THE CITY**

WHEREAS, the City of New Castle, Indiana (“City”) has established, acquired and financed a municipal water works and has established rates and charges for the use of the water works as set forth in Section 51.25 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 water 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 water works do not produce sufficient revenues to pay all the legal and necessary expenses incident to the operation of such water works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals and interest charges on bonds or other obligations of the water 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, and consideration of the factors set forth in Indiana Code § 8-1.5-3-8, the Council finds that the current rates and charges of the water works do not produce an income sufficient to maintain the water 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 water 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 water works and will enable the City to meet its legal revenue requirements for the water 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:

- Section 51.25 of the City Code is hereby amended as follows:

	<u>Present (1)</u>	<u>Phase I</u>	<u>Phase II</u>
(A) <u>Metered Rates Per Month (Per 100 Cu. Ft.)</u>			
First 500 cu. ft.	\$2.27	\$3.24	\$3.71
Next 1,500 cu. ft.	2.12	3.03	3.47
Next 4,000 cu. ft.	1.89	2.69	3.08
Next 14,000 cu. ft.	1.77	2.52	2.89
Next 45,000 cu. ft.	1.55	2.21	2.53
Next 135,000 cu. ft.	1.43	2.03	2.32
Next 200,000 cu. ft.	1.21	1.72	1.97
Over 400,000 cu. ft.	0.92	1.33	1.52
(B) <u>Minimum Charge Per Month</u>			
5/8 - 3/4 inch meter      400 cubic feet	\$9.08	\$12.96	\$14.84
1 inch meter              1,252 cubic feet	27.29	38.99	44.64
1 1/4 inch meter          1,682 cubic feet	36.41	52.01	59.57
1 1/2 inch meter          2,128 cubic feet	45.57	65.09	74.54
2 inch meter              3,330 cubic feet	68.29	97.43	111.56
3 inch meter              4,544 cubic feet	91.23	130.08	148.96
4 inch meter              9,596 cubic feet	182.40	259.87	297.72
6 inch meter              19,904 cubic feet	364.85	519.63	595.63
8 inch meter              94,867 cubic feet	1,491.15	2,122.85	2,429.81

(C) Fire Hydrant Rate (Per Hydrant)(Per Annum)

Private Hydrants	\$546.98	\$780.73	\$893.94
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	Present (1)	Phase I	Phase II
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(D) Automatic Sprinklers (Per Annum)

1	inch connection	\$15.19	\$21.69	\$24.84
1 1/2	inch connection	34.21	48.83	55.91
2	inch connection	60.79	86.77	99.35
3	inch connection	136.73	195.16	223.46
4	inch connection	243.05	346.92	397.22
6	inch connection	546.98	780.00	893.10
8	inch connection	973.62	1,389.70	1,591.21

(E) Connection Charge

5/8	inch meter	\$825.00	\$1,000.00	\$1,000.00
3/4	inch meter	825.00	1,000.00	1,000.00

(F) Public Fire Protection Charge (Per Month) (2)

5/8 - 3/4	inch meter	\$2.79	\$3.98	\$4.56
1	inch meter	6.96	9.94	11.38
1 1/4	inch meter	11.14	15.90	18.21
1 1/2	inch meter	13.93	19.88	22.76
2	inch meter	22.29	31.81	36.42
3	inch meter	41.79	59.64	68.29
4	inch meter	69.64	99.41	113.82
6	inch meter	139.29	198.81	227.64
8	inch meter	222.86	318.10	364.22

- (1) The present rates and charges were approved pursuant to order number 42984 on September 21, 2006.
- (2) Present public fire protection rates approved pursuant to conference minutes dated July 7, 2010.
- (3) Rates adjusted pursuant to conference minutes dated June 28, 2022, pursuant to Indiana Code § 8-1-2-4.2.

2. 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.

3. Purchasers of water in bulk quantities for transport and reuse shall be charged at the rate of \$15.00 per 1,000 gallons.

4. All other provisions of Section 51.25, 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.

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Greg York, Presiding Officer,  
Common Council, City

of New Castle, Indiana

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ATTEST:

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Ashley Huffman, Clerk-Treasurer

APPROVED BY ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024.

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