

ORDINANCE NO. 2015-08

**AN ORDINANCE TO AMEND THE WATER RATES
AND CHARGES FOR THE USE OF THE SERVICES RENDERED BY
THE TOWN OF LONG BEACH WATER DEPARTMENT**

WHEREAS, the Town of Long Beach, Indiana (the "Town"), has in operation a water works system pursuant to IC 8-1.5-1 et seq. (the "System"), by and through the Board of Directors of the Long Beach Water Department (the "Department") or (the "Water Utility"), for the purpose of treating and distributing water to the residents of the Town; and

WHEREAS, the Department by and through the Town Council of the Town ("Council") have previously by ordinance established the existing schedule of user rates and charges for water service of the; and

WHEREAS, the Town has employed Cender & Company, L.L.C. (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 dated August 24, 2015 (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 pay interest on bonds or other obligations; and

WHEREAS, pursuant to Ind. Code § 8-1.5-3-8.1 this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, Ind. Code § 8-1.5-3-8 authorizes this Council to adopt by ordinance a nondiscriminatory, reasonable and just schedule of fees for water services rendered by the Town's water works system; and

WHEREAS, Ind. Code § 8-1.5-3-8 authorizes this Council to exercise reasonable discretion in adopting different schedules of fees, or making classifications in schedules of fees, to ensure that the rates and charges produce an income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service, and whereas rates and charges too low to meet these requirements are deemed unlawful; and

WHEREAS, because of and based upon such cost increases as provided in the Rate Report, it is nondiscriminatory, reasonable, and just to amend the existing schedules of fees herein for users of the water system; and

WHEREAS, the Clerk-Treasurer of the Town has given notice of the public hearing on proposed rates pursuant to the Act; and

WHEREAS, a public hearing was held before this Council on September 28, 2015 at which time testimony from interested persons was received, after introduction of this ordinance and pursuant to the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LONG BEACH, INDIANA:

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 pay on bonds or other 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. Rates. After adoption of this Ordinance, there shall be imposed on each customer connected to and/or using its System as follows:

- (A) General service metered rates for one month consumption periods:
Metered rate per 1,000 gallons of water usage \$3.55; plus
- (B) Base charge per connection per month \$30.15; plus
- (C) Local charge per connection per month \$22.80

Section 4. Late Payment Charges. All accounts shall be due and payable at the office of the Water Utility by the end of the month, and if not paid and received within a ten (10) day grace period a late payment charge of ten percent (10%) will be assessed on all charges (except sales tax) on the eleventh (11th) day of the month after the due date.

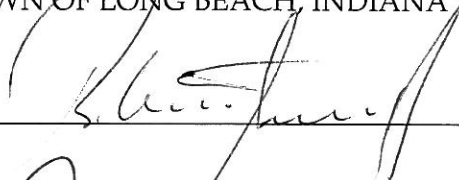
Section 5. Disconnection and Re-Connection Charges. Each time that the Department shall be required, for any reason, to either disconnect or reconnect service to any metered connection there shall be charged a fee to the customer of \$35.00. This fee shall apply to disconnections and re-connections to existing service units and shall not apply as the fee for an original connection to the System.


Section 6. Fire Hydrants. There shall be imposed a charge of \$227.00 for Municipal Hydrants and a charge of \$227.00 for Public Hydrants.

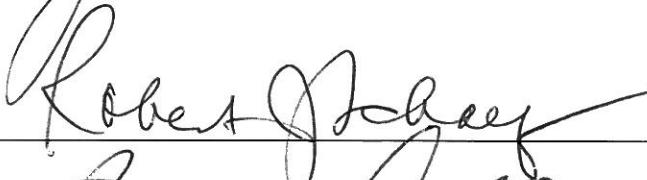
Section 7. Effective Date. This ordinance shall be effective upon the first day of billing cycle for each user subsequent to the date of the enactment of this ordinance.

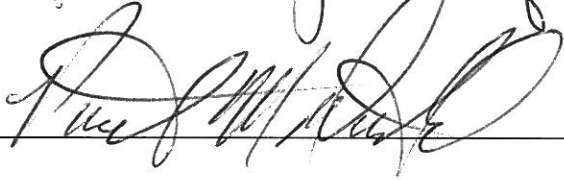
Adopted this 28TH day of September 2015.

TOWN COUNCIL OF THE
TOWN OF LONG BEACH, INDIANA









ATTEST:



Clerk-Treasurer