ORDINANCE NO. 10 -10

AN ORDINANCE AMENDING ORDINANCE NO. 04 – 09 ESTABLISHING A SCHEDULE OF RATES AND CHARGES COLLECTED BY THE CITY OF LEBANON, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE WATER WORKS OF SAID CITY.

WHEREAS, the City of Lebanon, Indiana ("the City") and the Lebanon Utility Service Board (the "Utilities") has heretofore constructed and has in operation a water works system for the purpose of providing a sufficient supply of potable water at the proper pressure for the City in a safe and sanitary manner; and

WHEREAS, an examination of the existing schedule of rates and charges heretofore fixed by ordinances of the City has revealed that the City is not collecting sufficient charges from users of the City's water works system to pay costs of construction and other expenses incurred by the City to provide for the treatment and distribution of potable water; and

WHEREAS, it is deemed necessary to amend Ordinance No. 04 – 09.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana, the governing body of said municipality as follows:

Section 1.

(a) There shall be and there are hereby established for the use of and services rendered by the water works system of the City of Lebanon, the following rates and charges, based upon the amount of water supplied during each monthly billing period:

			Rate Per 100 Cubic Feet				
Consumption Per Month			2010*	2011*	2012*	2013*	2014*
First	500	Cubic Feet	$3.41	$3.72	$4.02	$4.34	$4.69
Next	1,000	Cubic Feet	3.04	3.31	3.57	3.86	4.17
Next	2,000	Cubic Feet	2.61	2.84	3.07	3.32	3.59
Next	4,000	Cubic Feet	2.20	2.40	2.59	2.80	3.02
Next	8,000	Cubic Feet	1.72	1.87	2.02	2.18	2.35
Over	15,500	Cubic Feet	1.36	1.48	1.60	1.73	1.87

*Rates effective August 1st of each year.

Each user shall pay a minimum monthly charge in accordance with the size of the meter installed for which the user will be entitled to the quantity of water set out in the above schedule of rates.

Minimum Charge Meter Size	Cubic Ft. Allowed	Rate Per Month 2010*	2011*	2012*	2013*	2014*
5/8 – 3/4 inch meter	300	$10.23	$11.16	$12.06	$13.02	$14.07
1 inch meter	614	20.52	22.37	24.17	26.10	28.20
1 ¼ inch meter	1,285	40.91	44.58	48.12	52.00	56.18
1 ½ inch meter	1,776	54.65	59.54	64.27	69.46	75.06
2 inch meter	2,825	82.03	89.33	96.48	104.29	112.72
3 inch meter	6,422	163.93	178.63	192.88	208.52	225.19
4 inch meter	12,478	273.27	297.59	321.36	347.22	374.73
6 inch meter	31,764	546.44	594.81	642.62	694.47	749.89

*Rates effective August 1st of each year.

Public Fire Protection	2010*	2011*	2012*	2013*	2014*
Hydrant Rental – each per annum	$348.80	$380.19	$410.61	$443.46	$478.94

*Rates effective August 1st of each year.

Private Fire Protection	2010*	2011*	2012*	2013*	2014*
Hydrant Rental–each per annum	$348.80	$380.19	$410.61	$443.46	$478.94

*Rates effective August 1st of each year.

Automatic Sprinklers as Follows: Annual Rate

Connection Size	2010*	2011*	2012*	2013*	2014*
5/8 inch meter	$4.47	$4.87	$5.26	$5.68	$6.13
3/4 inch meter	6.38	6.95	7.51	8.11	8.76
1 inch meter	11.45	12.48	13.48	14.56	15.72
1 ¼ inch meter	17.82	19.42	20.97	22.65	24.46
1 ½ inch meter	25.67	27.98	30.22	32.64	35.25
2 inch meter	45.62	49.73	53.71	58.01	62.65
3 inch meter	102.62	111.86	120.81	130.47	140.91
4 inch meter	182.47	198.89	214.80	231.98	250.54
6 inch meter	410.55	447.50	483.30	521.96	563.72
8 inch meter	729.86	795.55	859.19	927.93	1,002.16
10 inch meter	1,140.41	1,243.05	1,342.49	1,449.89	1,565.88
12 inch meter	1,642.14	1,789.93	1,933.12	2,087.77	2,254.79

*Rates effective August 1st of each year.

(b) Tapping fees. No connection to the City's water works system shall be allowed until a permit is obtained and payment of Availability Fees, Connection Fees, and Inspection Fees has been made to the Utilities, or if applicable, payments have been arranged in accordance with Section 2(c) of this Ordinance.

(1) "Availability Fee" is the charge to a user for a new connection to or additional water usage from an existing connection to the City's water works system and is charged as a pro rata cost of construction of all water distribution mains and appurtenances to serve the property of the connecting user and is charged in return for the City making available to such user the City's water supply system consisting of all facilities and operations necessary to provide potable water to such user. The amount of the Availability Fee shall be as follows:

Residential User	All Other Users
$2,000 per EDU	$2,000 per EDU

Equivalent dwelling unit (EDU) is defined as the average use of a single family dwelling over one calendar year. EDU determinations for water users other than single family dwellings shall be determined in accordance with 327 IAC Article 8.

Where a project charge or recoupment agreement charge has been established prior to the date of this Ordinance, the project charge or recoupment agreement charge shall apply. The cost of distribution systems constructed after the date of this Ordinance by someone other than the City under a written agreement with the City may be credited against the Availability Fee. The decision to allow such credit and the amount of the credit shall be made solely at the discretion of the Lebanon Utility Service Board.

(2) "Connection Fee" is the charge to a user for a new or additional connection to the City's water works system and is charged the actual cost of construction of all local and/or water service lines adequate to serve the property of the connecting user. The Connection Fee shall be dependent on the water meter size and shall include the actual cost of the meter and supplies required for said connection.

(3) "Inspection Fee" is the charge to a user for a new or additional connection to the City's water works system for the cost of inspecting said connection to the water works. The Inspection Fee shall be as follows:

Residential User	All Other Users
$50	$100

(4) "Repair Inspection Fee" is the charge to a user for inspecting a needed repair or replacement of an existing water service line. The Repair Inspection Fee shall be as follows:

Residential User	All Other Users

$50 $100

(c) Payment of the Availability Fee, the Connection Fee, and the Inspection Fee shall be made at the following times:

(1) For new construction connections or additional water usage from existing water connections requiring plat or plan approval, one-half of the Availability Fee or $1,000 per EDU shall be paid at the time of signing the record plat or detail plan approval, or conditional use approval. The remaining one-half of the Availability Fee or $1,000 per EDU, the entire Connection Fee, and the entire Inspection Fee shall be paid before the issuance of a building permit;

(2) For all existing connections with additional water usage not requiring plat or plan approval, the Availability Fee, the Connection Fee, and the Inspection Fee shall be paid in full before the additional usage is provided for by the City's water system;

(3) For all users repairing or replacing a water service line or existing water connections with no additional water usage, the Repair Inspection Fee shall be paid in full before issuance for a repair permit.

Section 2. The rates, charges and fees set forth in this Ordinance shall be reviewed every calendar year for continued applicability and financial necessity.

Section 3. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

Section 4. The provisions of this Ordinance shall take effect on August 1, 2010.

This Ordinance shall be in full force and effect upon its adoption, effective date and any publication required by law.

All of which is CONSIDERED, APPROVED AND ADOPTED by the Common Council of the City of Lebanon, Indiana, this 28 day of June, 2010.

Harold "Huck" Lewis, Mayor

COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA

Keith Campbell

John Copeland

Mike Kincaid

Jeremy J. Lamar

ABSTAINED
Steve Darge

Richard Robertson

Brent Wheat

Attest: _____
Deborah S. Ottinger
Clerk/Treasurer

Presented by me to the Mayor of the City of Lebanon, Indiana, on the 28 day of JUNE, 2010

_____
Deborah S. Ottinger
Clerk/Treasurer

EXAMINED, APPROVED AND SIGNED by me on this 28 day of JUNE, 2010.

_____
Harold "Huck" Lewis, Mayor