

ORDINANCE NO. 23-2009

**AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE
AND SERVICES RENDERED BY THE WATERWORKS SYSTEM OF THE
TOWN OF PLAINFIELD, INDIANA**

WHEREAS, the Town Council of the Town of Plainfield (the "Town") has authorized the making of extensions, additions and improvements to the existing waterworks system of the Town for the purpose of providing a sufficient supply of water at proper pressure to the inhabitants of the Town and properly protecting the health, well-being and property of the Town and its inhabitants; and

WHEREAS, in order to procure the necessary funds to pay the cost of construction and installation of said extensions, additions and improvements, it is necessary for the Town to issue and sell waterworks revenue bonds payable solely out of the revenues of said waterworks system, which revenues under the existing schedule of rates and charges are insufficient to enable the Town to finance the needed extensions, additions and improvements; and

WHEREAS, the Board of Trustees did adopt Ordinance No. 12-2002 on July 22, 2002, Ordinance No. 10-2004 on June 14, 2004, Ordinance No. 17-2006 on June 12, 2006 and Ordinance No. 32-2008 on December 22, 2008 (collectively the "Prior Ordinance"), establishing rates and charges for the use of and services rendered by the waterworks system of the Town; and

WHEREAS, it is deemed necessary to repeal and replace the Prior Ordinance in its entirety; and

WHEREAS, it is necessary to establish a new schedule of rates and charges so as to produce sufficient revenue to pay expenses of maintenance and operation, and to provide funds

for necessary replacements and improvements to the waterworks system, and to pay the principal and interest on existing and proposed revenue bonds in accordance with the applicable bond ordinances.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PLAINFIELD, INDIANA;

Section 1. (a) There is hereby established the following rates and charges for the use and services rendered by the waterworks system of the Town of Plainfield to become effective on the first full billing period commencing upon an adoption of this Ordinance. Such rates or charges shall be based upon the following criteria:

<u>Monthly Service Charge</u> <u>Meter Size</u>	<u>Meter</u> <u>Equivalency</u> <u>Ratio</u>	<u>Billing</u> <u>and Meter Charge</u> <u>Per Month</u>
5/8 inch	1.0	\$ 2.49
3/4 inch	1.1	2.74
1 inch	1.4	3.49
1 1/2 inch	1.8	4.48
2 inch	2.9	7.22
3 inch	11.0	27.39
4 inch	14.0	34.86
6 inch	21.0	52.29
8 inch	29.0	72.21
10 inch	38.0	94.62
12 inch	48.0	119.52
 <u>Metered Revenue</u>		 <u>Per 1,000 Gallons</u>
First 10,000 gallons		\$ 3.04
Over 10,000 gallons		2.36
 <u>Wholesale Revenue (minimum usage of 60 MGM)</u>		 \$ 0.50

<u>Minimum Charge</u>	<u>Gallons Allowed Per Minimum</u>		<u>Per Month</u>
5/8 inch	2,000	\$	8.57
3/4 inch	3,608		13.71
1 inch	5,673		20.74
1 1/2 inch	10,106		35.13
2 inch	15,639		50.93
3 inch	21,333		84.54
4 inch	47,227		153.12
6 inch	104,827		306.48
8 inch	160,000		456.61
10 inch	230,000		644.22
12 inch	430,000		1,141.12
<u>Unmetered Rate</u>			<u>Per Month</u>
Former Customers of Deer Path Utilities - flat rate per month per EDU		\$	33.22
<u>Fire Protection Service - Hydrant Rental</u>			<u>Per Annum</u>
Municipal (lump sum for all Town hydrants) (annual)		\$	0.00
Private (for each fire hydrant per annum)			300.00
<u>Automatic Sprinkler Connection</u>			<u>Per Annum</u>
1 inch connection		\$	8.34
1 1/4 inch connection			13.02
1 1/2 inch connection			18.75
2 inch connection			33.33
3 inch connection			75.00
4 inch connection			133.32
6 inch connection			300.00
8 inch connection			533.34
10 inch connection			833.34
12 inch connection			1,200.00
<u>Temporary Hydrant Meter Rental</u>			<u>Per Connection</u>
Charge per connection (exclusive of water consumption)		\$	100.00

Meter deposit (refundable)		750.00
<u>Reconnection Charge</u>	\$	50.00
<u>Customer Meter Deposit</u>		
New Home Connection	\$	25.00
Renter (includes \$1.00 transfer fee)		76.00
Existing Home Connection (includes \$1.00 transfer fee)		26.00
New Commercial Connection		100.00
Existing Commercial Connection (includes \$1.00 transfer fee)		101.00
Meter Tampering Fee	\$	100.00
Penalty		25.00
Labor and Materials to Repair		Actual Costs
<u>Bad Check Charge</u>		<u>Per Occurrence</u>
	\$	27.50

(b) Compound Meters

(i) Compound Meters (as defined below) will be billed as follows unless it is otherwise determined by the Town that the Compound Meter was installed and the larger meter included in the Compound Meter is necessary to provide for purposes other than fire protection only:

Smaller Meter of Compound Meter	Billed in accordance with the Monthly Service Charge, Metered Revenue and Minimum Charge rate schedules set forth herein.
Larger Meter of Compound Meter	Billed in accordance with the Automatic Sprinkler Connection rate schedule set forth herein

If it is determined by the Town that the Compound Meter was installed and the larger meter of the Compound Meter is necessary for purposes other than fire protection only, then the user shall be billed accordance with the Monthly Service Charge, Metered

Revenue and Minimum Charge rates schedule set forth herein for both meters included in the Compound Meter. This subsection (b) applies to customers of the town's waterworks system having one (1) master water meter including a positive displacement meter and a turbine meter (a "Compound Meter").

(ii) All private fire hydrants, including hydrants on private property that are connected to the Town's waterworks system will be billed for the Fire Protection Service – Hydrant Rental set forth herein.

(iii) All fire protection charges may be billed monthly or annually at the discretion of the Town.

Section 2. (a) No connection to the Town's waterworks system shall be allowed until a permit is obtained and payment of Distribution System Availability and Inspection Fees and Treatment Plant Availability Fees have been made to the Town or, if applicable, payments have been arranged in accordance with Section 2(d) of this Ordinance.

(b) "Distribution System Availability and Inspection Fee" is the charge to a user for a new or additional connection to the Town's waterworks system and is charged in return for the Town making available to such user the Town's water main distribution system consisting of all facilities and operations necessary to provide water utility service to such user and the inspection of the connection to such water main distribution system. The Distribution System Availability and Inspection Fee is hereby established in the amount of Three Hundred Dollars (\$300.00) per EDU or 300 GPD of estimated average flow. The amount of the Distribution System Availability and Inspection Fee may, from time to time, be changed by the Town Council.

(c) "Treatment Plant Availability Fee" is the charge to a user for a new or additional connection to the Town's waterworks system and is charged in return for the Town providing capacity in its water treatment plant system to such user. The Treatment Plant Availability Fee is hereby established in the amount of Nine Hundred Fifty-Five Dollars (\$955.00) per EDU or 300 GPD of estimated average flow. The amount of the Treatment Plant Availability Fee may, from time to time, be changed by the Town Council.

(d) Payment of the Distribution System Availability and Inspection Fee and the Treatment Plant Availability Fee shall be made at the following times:

(1) For new construction, both the Distribution System Availability and Inspection Fee and the Treatment Plant Availability Fee shall be paid in full before the issuance of a building permit;

(2) For all new or additional users not qualifying as "new construction", both the Distribution System Availability and Inspection Fee and the Treatment Plant Availability Fee shall be paid in full before the new or additional connection is made to the Town's waterworks system;

Section 3. Charges for water service shall be made each month of the calendar year. All bills are to be rendered each month following the month for which charges are made, and shall be due and payable on the date of rendition thereof; provided, however, that if said bills are paid within fifteen (15) days, they shall be considered current.

Section 4. If rates charged for services are not paid in full within fifteen (15) days after rendition of the bill, a collection or deferred payment charge of ten percent (10%) shall be added to the bill.

Section 5. All water service shall be discontinued without further notice if the charges for such service are not paid within sixty (60) days after rendition of the bill therefor.

Section 6. The rates and charges herein established shall be collected from the owners, occupants and users of the premises within the Town from and after the effective date of this Ordinance.

Section 7. No water from the Town's waterworks supply shall be turned on for any service in any premises, by any person except as authorized by the Town Council to perform such service.

Section 8. Every user who has been disconnected for nonpayment of charges, or new users, or new customers, shall pay a deposit in the amount set forth in Section 1 above. The sum retained by the Town to insure such deposit, less any amount due the Town for service, shall be refunded without interest at the conclusion of such users or customers' use of the Town's waterworks system.

Section 9. All water pipes and connections shall comply with and be installed in accordance with the direction of the Town Engineer of the Town of Plainfield, Indiana.

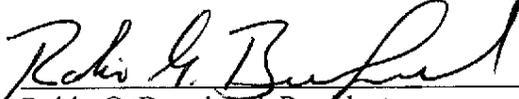
Section 10. This Ordinance replaces and supercedes the Prior Ordinance and upon adoption and passage of this Ordinance by the Town, the Prior Ordinance shall be specifically repealed.

Section 11. 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.

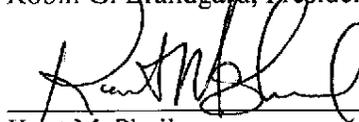
This Ordinance shall be in full force and effect from and after its passage and adoption by law.

Passed and adopted this 27th day of July, 2009.

PLAINFIELD TOWN COUNCIL



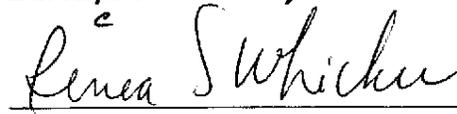
Robin G. Brandgard, President



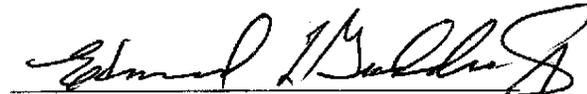
Kent McPhail



Bill Kirkhoff



Renea Whicker



Edmund L. Gaddie, Jr.

ATTEST:



Wesley R. Bennett,
Clerk-Treasurer