

ORDINANCE NO. 780

BEING AN ORDINANCE AMENDING ORDINANCE NO. 537 ESTABLISHING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE TOWN OF ST. JOHN FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID TOWN AND OTHER MATTERS CONNECTED THEREWITH.

WHEREAS, the Board of Trustees of the Town of St. John has heretofore approved plans, specifications and estimates and determined to establish, construct, equip, own, operate and maintain the sewage works provided for therein, and a sewage treatment plant under and pursuant to Chapter 284 of the Acts of the General Assembly of the State of Indiana for the year 1967, and all acts supplemental thereto, and

WHEREAS, the Town is the recipient of a grant from the U.S. Environmental Protection Agency and the State of Indiana; and

WHEREAS, the Town has sold revenue bonds to fund that portion of the cost of the sewage works not covered by grants; and

WHEREAS, it is necessary to establish a schedule of rates and charges to produce sufficient revenue to pay expenses of maintenance and operation, to pay the principal and interest on outstanding revenue bonds, and to provide funds for necessary replacements and improvements to the sewage works, all in a manner in accordance with guidelines of the U.S. Environmental Protection Agency; now therefore

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ST. JOHN, INDIANA:

1. That section 4 of Ordinance No. 537 be amended to read as follows:

Section 4. The quantity of water discharged into the sanitary sewerage system and obtained from sources other than the utility that serves the Town shall be determined by the Town in such manner as the Town shall reasonably elect, and the sewage service shall be billed at the above appropriate rates; further, as is hereinafter provided in this section, the Town may make proper allowances in determining the sewage bill for quantities of

water shown on the records to be consumed, but which are also shown to the satisfaction of the Town that such quantities do not enter the sanitary sewerage system.

- (a) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, water or other liquids into the Town's sanitary sewerage system, either directly or indirectly, is not a user of water supplied by the water utility serving the Town, and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the Town, then the amount of water used shall be otherwise measured or determined by the Town. In order to ascertain the rate or charge provided in this ordinance, the owner or other interested party shall at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.
- (b) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial wastes, sewerage systems, either directly or indirectly, is a user of water supplied by the water utility serving the town, and in addition, is a user of water from another source which is not measured by a water meter or is measured by a water meter not acceptable to the Town, then the amount of water used shall be otherwise measured or determined by the Town. In order to ascertain the rates or charges, the owner or other interested parties shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of sewage discharge.
- (c) In the event two or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water or other liquids into the Town's sanitary sewerage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the base charge and the flow rates and charges shall apply to each of the number of residential lots, parcels of real estate or buildings served through the single water meter.
- (d) In the event two (2) or more dwelling units such as mobile homes, apartments or housekeeping rooms discharging sanitary sewage, water or other liquids into the Town's sanitary sewerage system, either

directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that the minimum bill shall not be less than the number of such dwelling units times of \$5.50 per month. In the case of the mobile home courts, the number of dwelling units shall be computed and interpreted as the total number of mobile home spaces available for rent plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

- (e) In the event two (2) or more business units or commercial units such as strip malls, business complexes, commercial centers or other multiple users discharging sanitary sewage, water or other liquids into the Town's sanitary sewerage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that the minimum bill shall not be less than the number of such business units times the minimum base rate for the meter installed per month. A business or commercial dwelling unit shall be interpreted as a rental area or rental unit.
- (f) In order that the single family domestic and residential users of sewage service shall not be penalized for sprinkling lawns during the summer periods of May 16th to June 15th, June 16th to July 15th, July 16th to August 15th, and August 16th to September 15th, the billing for sewage service for residences and/or domestic users for said months shall be based upon the average water usage for the previous periods of December 16th to January 15th, January 16th to February 15th, and February 16th to march 15th. In the event the average water usage for said previous months is greater than the water usage for said summer months, then the billing for sewage services shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic and/or residential sewage service as applicable to the sprinkling rate shall apply to each lot, parcel of real estate or building which is occupied and used as a single family residence. Said sprinkling rate shall not apply to any premises which are partially or wholly uses for commercial or industrial purposes. In the event a portion of such premises shall be used for commercial or industrial purposes, the owner shall

have the privilege of separating the water service so that the residential portion of the premises is served through a separate meter and in such case the water usage as registered by the water meter serving such portion of the premises used for residential purposes would qualify under the sprinkling rate.

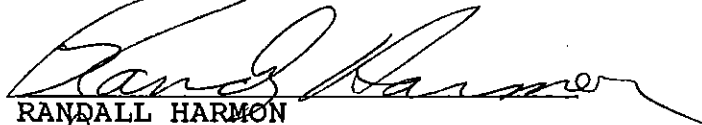
- (g) In the event a lot, parcel of real estate or building discharges sanitary sewage, industrial waste, water or other liquids into the Town's sanitary sewerage system, either directly or indirectly, and uses water in excess of 25,000 gallons per month, and it can be shown to the satisfaction of the Town that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewage system, then the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of sewage discharge.

2. That the Clerk/Treasurer of the Town of St. John be and is hereby instructed to give notice, by publication, as required by law and that a public hearing be held upon this ordinance on the 10th day of April, 1989 at 7:30 o'clock p.m.

Passed and adopted by the Board of Trustees of the Town of St. John on the 13th day of March, 1989.



DAVID BIELSKI




RANDALL HARMON



DOUGLAS PATTERSON

ATTEST:



BETTY L. SIEDELMANN
Clerk-Treasurer