

838

ORDINANCE NO. WWD 4

BEING AN ORDINANCE OF THE TOWN OF
ST. JOHN AND THE WATERWORKS OF THE
TOWN OF ST. JOHN RELATING TO THE
REMOVAL OF THE TOWN'S WATER UTILITY
FROM THE JURISDICTION OF THE INDIANA
UTILITY REGULATORY COMMISSION

WHEREAS, the Waterworks District and the Town Council of the Town of St. John has determined that it is advisable to remove the Town's municipal water utility from the rate and financing jurisdiction of the Indiana Utility Regulatory Commission and thereby enable the Town Council and/or the Waterworks District to change the water rates as required in order to maintain the system and to provide adequate and reliable service to customers without incurring the regulatory delays and significant costs connected with proceedings before the Commission;

AND WHEREAS, the Indiana legislature has adopted legislation which permits a municipally owned utility to be removed from the jurisdiction of the Commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness, if the municipal legislative body adopts an ordinance removing the utility from Commission jurisdiction;

AND WHEREAS, the Waterworks District and the Town Council have determined that with the adoption of such an ordinance, the Town of St. John will realize an opportunity for costs savings by avoiding Commission charges for staff accounting, engineering and publication of notice associated with rate hearings before the Commission; that the Town will also be able to avoid charges for approval of bond issues and avoid some consulting and legal fees, all at an ultimate cost savings to the customers of the utility;

AND WHEREAS, the Clerk/Treasurer, pursuant to the direction of the Waterworks District and the Town Council, has mailed written notice of this meeting to all rate payers of the utility and to the Commission at least thirty (30) days prior to the final vote on the


ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, INDIANA AS FOLLOWS:

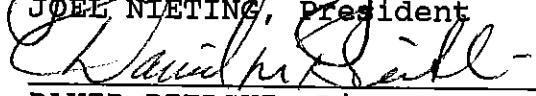
1. The municipally owned water utility of the Town of St. John, Indiana, shall be, and is hereby removed from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness, in accordance with the provisions of I.C. 1971, 8-1.5-3-9.1 et. seq.
2. That the Clerk/Treasurer of the Town of St. John be and is hereby directed to give notice to all customers and rate payers of the municipal water utility of the Town of St. John of a special joint meeting of the Town Council of the Town of St. John and the Board of Directors of the St. John Waterworks District to be held on Monday, June 11, 1990 to consider the final adoption of this ordinance.
3. That this Ordinance shall take effect sixty (60) days after final adoption of the Town Council and Waterworks District of the Town of St. John.

PASSED and ADOPTED by the Waterworks District of the Town of St. John this 3rd day of May, 1990.

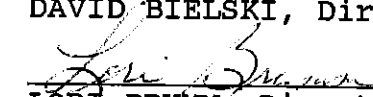
WATERWORKS DISTRICT
TOWN OF ST. JOHN



JOEL NIETING, President



DAVID BIELSKI, Director



LORI BRUMM, Director

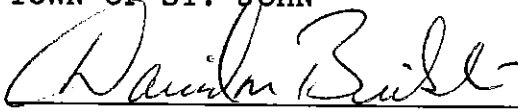
ATTEST:




JUDITH L. COMPALIK
Clerk/Treasurer

PASSED and ADOPTED by the TOWN COUNCIL of the Town of
St. John this 14th day of May, 1990.

TOWN COUNCIL
TOWN OF ST. JOHN



DAVID BIELSKI, President



RANDALL HARMON, Councilman

DOUGLAS PATTERSON, Councilman

ATTEST:



JUDITH L. COMPANIK
Clerk/Treasurer