

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1385

AN ORDINANCE OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AMENDING TOWN ORDINANCE NO. 866, BEING "AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE WATERWORKS SYSTEM OF THE TOWN OF ST. JOHN", AS THE SAME HAS BEEN AMENDED FROM TIME TO TIME, REPEALING ALL ORDINANCES, OR PARTS THEREOF IN CONFLICT HEREWITH, AND ALL MATTERS RELATED HERETO.

WHEREAS, the Town of St. John, Lake County, Indiana (the "Town") owns, operates, manages and controls a waterworks system (the "Waterworks System"); and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, pursuant to its authority under applicable law, did, on the 8th day of July, 1991, pass and adopt an Ordinance establishing rates and charges for the use of and services rendered by the Waterworks System of the Town; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has, from time to time, passed and adopted Ordinances amending Town Ordinance No. 866 pertaining to the rates and charges for the use of and services rendered by the Waterworks System of the Town; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, is aware that the Town of St. John has duly opted out of the jurisdiction of the Indiana Utility Regulatory Commission, whereby the Town Council is the proper and lawful entity and body to establish rates and charges for water service in the Town of St. John; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has received the recommendation of the Board of Trustees of the Department of Waterworks of the Town of St. John that certain charges for the use of and services rendered by the Waterworks System of the Town should be amended in its provisions pertaining to Fire Protection Service and Sprinkling System Service; and

WHEREAS, the Town Council of the Town St. John, Lake County, Indiana, has directed that there be published a Notice of Public Hearing, giving notice of a public hearing to be held regarding a proposed amendment to the schedule of rates and charges for the use of and services rendered by the Waterworks System of the Town, and particularly, pertaining to Fire Protection Service and Sprinkling System Service; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised that the proposed amendatory schedule of rates and charges for the use of and services rendered by the Waterworks System of the Town, and particularly, pertaining to Fire Protection Service and Sprinkling System Service, is non-discriminatory, reasonable, just and equitable.

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

SECTION ONE: That Section 1.(c), entitled Fire Protection Service, of Town Ordinance No. 766 as amended from time to time, be amended to provide as follows, namely:

“Section 1. That there shall be and there are hereby established for the use of and the service rendered by the Waterworks system of the Town of St. John, the following rates and charges, based on the use of water supplied by said Waterworks system:

(c) <u>Fire Protection Service</u>	<u>Per Annum</u>
Municipal hydrant (Inside Town Boundaries) per hydrant	\$315.00
Private hydrant-per hydrant (Private hydrants are those identified, established, and acknowledged by the Waterworks President on a case-by-case basis)	\$315.00
	<u>Per Monthly Bill</u>
Municipal hydrant (Outside Town Boundaries) – per monthly bill	\$3.65

SECTION TWO: That Section 1. of Town Ordinance No. 866, as amended from time to time, be, and the same is hereby amended to add the following sub-section (g), namely:

“Section 1. That there shall be and there are hereby established for the use of and the service rendered by the Waterworks system of the Town of St. John, the following charges, based on the use of water supplied by said Waterworks system:

<u>Private Fire Sprinkling System</u>	<u>Per Annum</u>
2” service line	\$ 17.50
3” service line	50.90
4” service line	180.45
6” service line	315.00
8” service line	671.30
10” service line	1,207.20
12” service line	1,949.95”

SECTION THREE: That all other existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed; provided, however, that the existing schedule of water rates and charges heretofore established and in effect immediately prior to the adoption of this Ordinance shall remain in full force and effect until the effective date of this Ordinance as executed below, provided, however, that the charges for municipal hydrant rental shall not be effective until January 1, 2006.

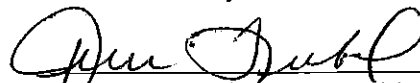
SECTION FOUR: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FIVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS 19th DAY OF MAY, 2005, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA, TOWN COUNCIL


Michael S. Fryzel, President

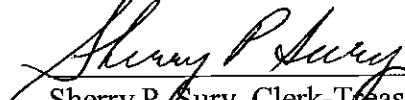

Jerri A. Teibel, Vice-President


Mark Barenje, Member


Charles Pearson, Member


Gregory J. Volk, Member

ATTEST:


Sherry P. Sury, Clerk-Treasurer