

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1440

AN ORDINANCE AMENDING TOWN ORDINANCE NO. 1408, BEING "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ST. JOHN AMENDING ORDINANCE #866, AS AMENDED, ESTABLISHING RATES AND CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE WATERWORKS SYSTEM OF THE TOWN OF ST. JOHN", AND ALL MATTERS RELATED THERETO.

WHEREAS, Town Ordinance No. 1408 of the Town of St. John, as amended, did, among other things, establish a Schedule of Rates and Charges for the use of and services rendered by the Waterworks System of the Town of St. John, and specifically, set forth a schedule of such rates and charges therein; and

WHEREAS, the Town Council of the Town of St. John, owns and operates a municipal water utility and intends to continue to maintain and operate the existing Waterworks System of the Town in a manner suitable to provide an adequate volume of water of proper quality and proper pressure to the residents and property owners of the Town, as well as to adjacent areas and to properly protect the health, well-being and property of the Town, its residents, and such adjacent areas; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, now finds that the existing rates and charges for the use of and service rendered by the Waterworks of the Town are insufficient to enable the Town to properly operate its Waterworks plant, provide for depreciation, and finance necessary extensions and additions, as well as maintenance and upkeep of the Waterworks plant; further, all activities of the municipal water utility of the existing Waterworks system of the Town are intended to improve service rendered by the Waterworks System, and make same of greater value to the Town, its residents and adjacent areas served, and for such reason, the existing rates and charges are recommended to be increased to include and add to the rates and charges a Bulk Water Sale Rate for bulk water purchase from the Town municipal water utility; and

WHEREAS, a Public Hearing on the proposed Amendatory Water Rate and Charge Ordinance, as amended, was held on the 22nd day of February, 2007, pursuant to Public Notice, as required by applicable law.

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. of Town Ordinance No. 1408, as amended, shall be amended to read and add the following rates and charges for the use of and the service rendered by the Waterworks system of the Town of St. John based on the use of water supplied by said Waterworks system:

"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 upon the use of water supplied by said Waterworks system:

(f) Bulk Water Sale Rate.

All bulk water users and purchasers shall be charged and pay a bulk water sales rate of Five Dollars (\$5.00) per One Thousand (1000) gallons, or any portion thereof, of bulk water purchased, as a bulk water sales rate."

SECTION TWO: That all 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.

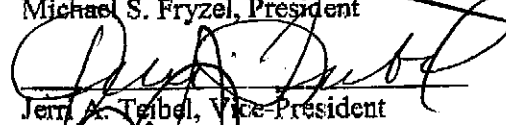
SECTION THREE: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FOUR: 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, with any effective date of March 15, 2007, for implementation.

ALL OF WHICH IS PASSED AND ADOPTED THIS 22nd DAY OF FEBRUARY, 2007,
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

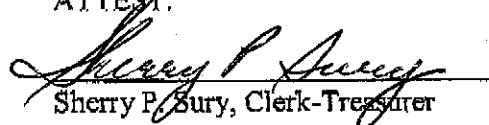

Jerril A. Teibel, Vice-President


Mark Barente, Member


Charles Pearson, Member


Gregory J. Volk, Member

ATTEST:


Sherry P. Surr, Clerk-Treasurer