

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1443

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 BY TOWN ORDINANCE NO. 1440, 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 by Town Ordinance No. 1440 for establishment of a bulk water sale rate, 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 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 should be increased; and

WHEREAS, a Public Hearing on the proposed Amendatory Water Rate and Charge Ordinance, as amended, was held on the 15<sup>th</sup> day of March, 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 by Town Ordinance No. 1440, shall be amended, and that there shall be and there are hereby established 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:

	<b>Rate Per</b>
	<b><u>1,000 Gallons</u></b>
(a) <b><u>Metered Rates Per Month</u></b>	
First 100,000 gallons	\$ 3.26
More than 100,000 gallons	\$ 1.63
(b) <b><u>Minimum Charge Per Month</u></b>	

Each user shall pay a minimum charge in accordance with the following applicable size of meter installed for which the user will be entitled to the quantity of water set out in the above schedule of rates:

<u>Size of Meter</u>	<u>Minimum Per Month</u>
5/8 or 3/4" meter	\$ 8.15
1" meter	11.25
1-1/2" meter	20.00
2" meter	29.75
3" meter	50.75
4" meter	126.75
6" meter	253.50

(c) **Temporary Users**

Water furnished to temporary users, such as contractors, etc., shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Waterworks Superintendent.

(d) **Collection and Deferred Payment Charges**

All bills for water service not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to the collection or deferred payment charge of ten percent (10%) on the first \$3.00 and three percent (3%) on the excess over \$3.00.

(e) **New Customer Connection Service:**

In the event that a previously platted subdivision (lot) is exempt from the previously approved Joint Ordinance No. 1203/WD 43, the charges for taps made to the Town's water system by the Public Works Department shall remain as follows:

Water main side tap (1" maximum)	\$500.00
Opposite water main side tap (1" maximum)	\$1,250.00

New customer connection service charges shall be as follows:

**CONNECTION SERVICE-PRIMARY**

SIZE METER	3/4" Standard	1" Standard	1-1/2" Standard	2" Standard	2" Compound	3" Standard	3" Compound	4" Standard	4" Compound	6" Standard	6" Compound
Fee Charged	\$300	\$350	\$500	\$600	\$1,400	\$850	\$1,725	\$1,300	\$2,425	\$2,275	\$4,125

**CONNECTION SERVICE-ADDITIONAL**

SIZE METER	3/4" Standard	1" Standard	1 1/2" Standard	2" Standard	2" Compound	3" Standard	3" Compound	4" Standard	4" Compound	6" Standard	6" Compound
Fee Charged	\$300	\$350	\$500	\$600	\$1,400	\$850	\$1,725	\$1,300	\$2,425	\$2,275	\$4,125

There shall be an additional check valve fee charged in the sum of between \$150.00 to \$4,500.00 for connection service for one and one-half inch (1-1/2") and larger meters depending upon the nature of the business.

(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."

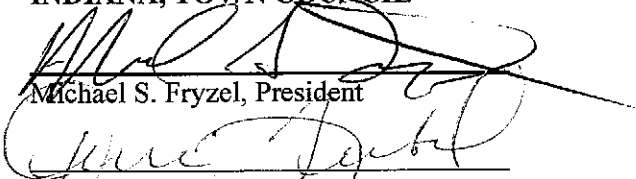
**SECTION TWO:** That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**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.

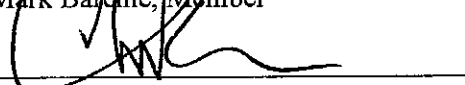
ALL OF WHICH IS PASSED AND ADOPTED THIS 15<sup>th</sup> DAY OF MARCH, 2007, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

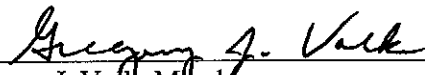
TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL

  
Michael S. Fryzel, President

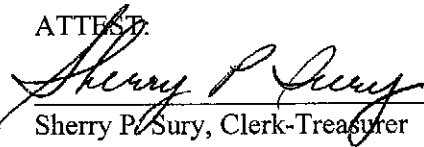
  
Jerri A. Teibel, Vice-President

  
Mark Barenie, Member

  
Charles Pearson, Member

  
Gregory J. Volk, Member

ATTEST:

  
Sherry P. Sury, Clerk-Treasurer