

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

**TOWN COUNCIL ORDINANCE NO.: 1772**

**AN ORDINANCE AMENDING TOWN ORDINANCE NO. 1730, BEING; "AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, 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**, the Town Council of the Town of St. John, Lake County, Indiana (hereinafter, the "Town Council"), has previously passed and adopted Town Ordinance No. 1730, on or about the 28<sup>th</sup> day of April, 2021, establishing rates and charges for the use of and services rendered by the Waterworks System of the Town, which adoption occurred in conformance with applicable law; and

**WHEREAS**, Town Ordinance No. 1730 contain all of the rates and charges for the use of and services rendered by the Waterworks System of the Town; and

**WHEREAS**, the Town of St. John, Lake County, Indiana (hereinafter, the "Town"), owns and operates a municipal water utility; further, the Town Council and the Town, together with the Town of St. John, Lake County, Indiana Department of Waterworks, under the jurisdiction of the Town of St. John, Lake County, Indiana, Department of Waterworks Board of Directors (hereinafter, the "Town Water Board"), 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 agree, upon advisement and information, that the existing rates and charges for the use of and services rendered by the Waterworks System of the Town should be lowered to comply with House Bill 1002 as passed by the State Legislature on January 20, 2022 to remove Utility Receipts Tax; further, the Town Council also agrees that all activities of the Municipal Water Utility and existing waterworks system of the Town are intended to improve service rendered by the waterworks system, and therefore, the purposes of collection of proper and appropriate level of service rates and charges, the existing rates and charges are advised to be adjusted; and

**WHEREAS**, a Public Hearing on the proposed Amendatory Water Rate and Charge Ordinance, as amended, has been held on the 27<sup>th</sup> day of July, 2022, 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. 1730, shall be amended, and that there shall be and there are hereby established the following rates and charges for the use of and the services rendered by the Waterworks System of the Town of St. John, based upon 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:

(a)	<b><u>Metered Rates Per Month</u></b>	<b><u>Rate Per 1,000 Gallons</u></b>
	First 100,000 gallons	\$4.18
	More than 100,000 gallons	2.09

(b) **Minimum Charge Per Month**

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>Gallons Provided</u>	<u>Minimum Per Month</u>
5/8 or 3/4" meter	2,500	\$10.44
1" meter	3,455	14.43
1-1/2" meter	6,132	25.62
2" meter	9,127	38.13
3" meter	15,566	65.02
4" meter	38,868	162.36
6" meter	77,724	324.67

(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	\$500	\$500	\$*	\$*	\$*	\$*	\$*	\$*	\$*	\$*	\$*

\*actual costs of the Town for these matters shall be charged and connected.



**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	\$500	\$500	\$*	\$*	\$*	\$*	\$*	\$*	\$*	\$*	\$*

\*actual costs of the Town for these matters shall be charged and connected.

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 Six Dollars and Fifty Cents (\$6.50) per One Thousand (1,000) gallons, or any portion thereof, of bulk water purchased, as a bulk water sales rate.

**SECTION TWO:** That Section 1(c), entitled Fire Protection Service, of Town Ordinance No. 1730 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:

<b>(c) <u>Fire Protection Service (per hydrant)</u></b>	<b><u>Per Annum</u></b>
Municipal hydrant (inside Town)	Included in metered rates
Private hydrant (Private hydrants are those identified, established, and acknowledged by the Waterworks President on a case-by-case basis)	\$405.00

**SECTION THREE:** That Section 1. of Town Ordinance No. 1730, 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:

<b><u>Private Fire Sprinkling System</u></b>	<b><u>Per Annum</u></b>
2" service line	\$22.40
3" service line	65.15
4" service line	231.15
6" service line	403.45
8" service line	859.80
10" service line	1,546.10
12" service line	2,497.45

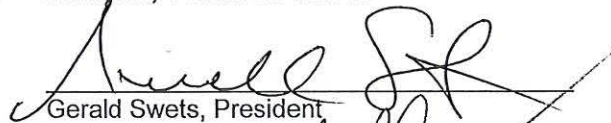
**SECTION FOUR:** That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

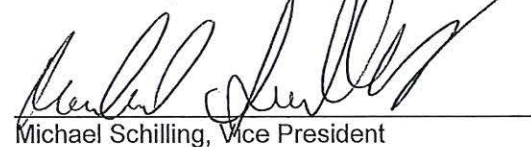
**SECTION FIVE:** If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

**SECTION SIX:** That this Ordinance shall take effect with utility bills sent to waterworks customers on and after September 1, 2022, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED BY THIS 27<sup>TH</sup> DAY OF JULY, 2022, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

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

  
Gerald Swets, President

  
Michael Schilling, Vice President

  
Mike Aurelio, Member

  
Bryan Blazak, Member

  
Wayne Pondinas, Member

ATTEST:

  
Beth R. Hernandez, Clerk-Treasurer