

ORDINANCE NO. 2008- 1

**AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES
COLLECTED BY THE TOWN OF NASHVILLE, INDIANA FOR THE USE OF WATER
SUPPLIED BY THE TOWN OF NASHVILLE, INDIANA**

WHEREAS, the Town Council of the Town of Nashville, Indiana, has determined that the existing rates and charges for the use of water supplied by the Town of Nashville to properly operate its waterworks plant, provide for depreciation, maintenance, bond and interest charges, provide for a return on its utility plant and to finance needed extensions and additions to the waterworks system are inadequate and that the existing rates and charges should therefore be increased; and

WHEREAS, it is necessary that the present rate schedules of the waterworks be increased in order to charge its customers reasonable and just rates and charge for services in accordance with Indiana Code 8-1.5-3-8; and

WHEREAS, it is necessary that the waterworks receive a reasonable rate of return on its utility plant in service pursuant to Indiana Code 8-1.5-3-8(f);

SECTION 1

There shall be and are hereby established for use of water supplied by the waterworks system of the Town of Nashville, Indiana, the following rates and charges:

METERED RATES SCHEDULE

<u>Monthly Water Usage</u>	<u>Rate per 1,000 Gallons</u>
<u>Inside Town</u>	
First 10,000 gallons	\$7.50
Over 10,000 gallons	\$6.43
<u>Outside Town</u>	
First 10,000 gallons	\$9.79
Over 10,000 gallons	\$7.56

The charge for a tap larger than the 5/8" meter tap shall be the cost of labor, materials, power, machinery, transportation, and overhead incurred for installing the tap, but shall not be less than the basic charge for a 5/8" meter tap.

Whenever the extension of water service requires work over and above that of a 5/8" water meter tap, an additional review fee of \$150.00 shall be charged and is to be paid prior to beginning the review. Whenever this review requires work and or materials in excess of six (6) hours and/or \$149.94, then the review fee shall be based on time and materials used in performing the review.

ACCOUNT DEPOSITS

Each user shall pay an account deposit of \$67.00 prior to providing service.

When ever service is disconnected for non-payment each user shall be required to provide a deposit equal to the highest monthly service charge or \$67.00 whichever is greater prior to reinstating service.

RECONNECTION CHARGE

When the service is turned off for non-payment of bill, or whenever for any reason beyond the control of the waterworks a re-establishment of service is required by any one customer, a charge of \$33.00 during business hours and \$50.00 after business hours will be made by the waterworks to cover the cost of discontinuance and re-establishment of service. The reconnection charge, together with all other outstanding rates and charges due the waterworks, shall be paid by the customer before service will be re-established. Should any service account remain inactive for a period of three (3) months or longer the charge shall increase to \$80.00 for reactivation of the account. Any service connection inactive for a period of 18 months shall be subject to the same administrative rules as new service connections.

DISHONORED CHECK CHARGE

In the event a check, draft, or other instrument tendered to the utility for water service is dishonored by the bank or other institution upon which it is drawn, for any reason, the customer shall be charged \$30.00 per such dishonored check and this charge will appear on the billing statement and will be due upon receipt.

BILLING

Such rates and charges shall be prepared, billed and collected by the Town in the manner provided by law and Ordinance.

- a) The rates and charges for all users shall be prepared and billed monthly. Bills will be dated and mailed on the 3rd day of each month. Bills for water service are due and payable at the business office of the municipality or to any designated agent on their date of issue. The past due date shall be the 17th day after the date of issue.

- b) The rates and charges may be billed to the tenant or tenants occupying the properties served, if requested by the owner in writing, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records for the Town for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which said records are kept and during the hours that such office is open for business.
- c) All rates and charges not paid when due are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of the rates and/or charges shall thereupon be added thereto per month. The time at which such rates and/or charges shall be paid is now fixed at seventeen (17) days after the date of mailing of the bill.
- d) If any bill has a delinquent amount due, as of the date of issue, the delinquent amount must be paid within ten (10) days of the date of issue of that bill. If the delinquent amount is not paid within this ten (10) day period, the water supply to the customer may be discontinued without further notice.

SPECIAL RATE CONTRACTS

The Council is hereby further authorized to enter into special rate contracts with customers of the waterworks where clearly definable cost to the waterworks can be determined, and such special rates shall be based on such costs.

SECTION II

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

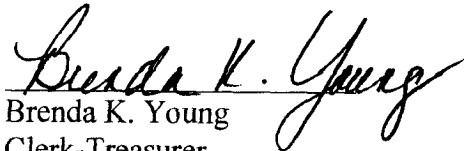
SECTION III

The rates and charges as herein set forth shall become effective on the 1st day of MARCH, 2008 billing period.


BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect from and after its passage and approval by the Town Council of the Town of Nashville.


PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE, BROWN COUNTY, INDIANA, THIS 7th DAY OF FEBRUARY, 2008.


ATTEST:

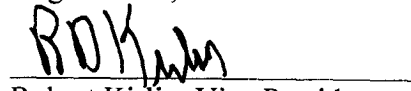

Brenda K. Young
Clerk-Treasurer

Drafted by the Nashville
Town Superintendent
under the supervision of the
Nashville Town Attorney


Roger Bush
Town Superintendent

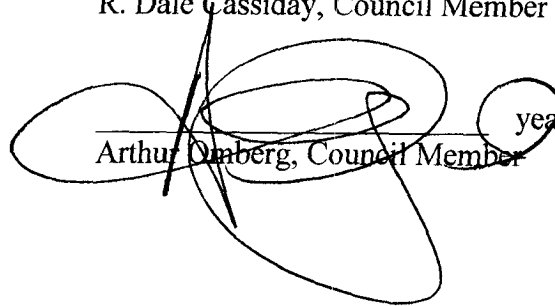

James Roberts
Town Attorney


Roger Kelso, President yea nay abstain


Robert Kirlin, Vice President yea nay abstain


Charles King, Council Member yea nay abstain

_____ yea nay abstain
R. Dale Cassidy, Council Member


Arthur Omborg, Council Member yea nay abstain