

ORDINANCE NO. 2010-6

**AN ORDINANCE TO AMEND THE SEWER RATES
AND CHARGES FOR THE TOWN OF NASHVILLE,
INDIANA**

WHEREAS, the Town of Nashville, Indiana (the "Town"), has heretofore constructed and has in operation a sewage works pursuant to IC 36-9-23 *et seq.* for the purpose of collecting and disposing in a sanitary manner the sewage of the residents and other non resident users of the sewer utility of the Town; and

WHEREAS, the Town Council of the Town (the "Council") has previously by ordinance established the existing schedule of user rates and charges for sewer service; and

WHEREAS, the Town has employed Pat Callahan (the "Financial Advisor") to prepare a rate report reviewing the sufficiency of such existing rates and charges; and

WHEREAS, the Financial Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations; and

WHEREAS, pursuant to IC 36-9-23-26, this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, IC 36-9-23-25, authorizes this Council to adopt by ordinance a just and equitable schedule of fees for sewer services rendered by the Town's sewage works; and

WHEREAS, IC 36-9-23-25, authorizes this Council to exercise reasonable discretion in adopting different schedules of fees, or making classifications in schedules of fees, based upon variations in the costs, including capital expenditures, of furnishing services to various classes of users or to various locations, or the number of users in various locations; and

WHEREAS, because of and based upon such cost increases, it is just, equitable, and reasonable to amend the existing schedules of fees herein for users of the sewer system; and

WHEREAS, the Clerk-Treasurer of the Town has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on September 2, 2010 at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NASHVILLE, INDIANA:

Section 1. The Council hereby finds and determines that, based upon the Rate Report, the existing rates and charges are insufficient to pay all the legal and other necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep,

repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations.

Section 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report are just and equitable and therefore should be adopted. Such proposed rates and charges are effective upon passage. Ordinance No. 2009-14 adopted by the Council on December 22, 2009 shall remain in full force and effect, except for the proposed rates below.

Section 3. The Council finds and determines that the proposed rates should be as follows:

(1) ALL CLASS I (INSIDE) USERS:

Consumption Per Month (Per 1,000 Gallons)		<u>Rates</u>
First	2,000	\$6.68
Next	8,000	6.86
All over	10,000	7.12

(2) ALL CLASS II (OUTSIDE) USERS:

Consumption Per Month (Per 1,000 Gallons)		<u>Rates</u>
First	2,000	\$8.33
Next	8,000	8.54
All over	10,000	8.87

(3) The minimum charge for any user shall be based upon meter sizes, as follows:

<u>Meter Size Charges</u>	<u>Rates</u>
5/8 inch water meter	\$22.92
3/4 inch water meter	22.92
1 inch water meter	44.31
1 ¼ inch water meter	65.71
1 ½ inch water meter	90.92
2 inch water meter	150.90
3 inch water meter	335.96
4 inch water meter	577.84
6 inch water meter	1,303.32

(4) UNMETERED OR INACCURATE READING (Monthly Rate)

Based on Equivalent Single Family Dwelling Unit:

Inside Town Rate: \$56.40

Outside Town Rate: 70.52

Adopted this 2ND day of September, 2010.

TOWN COUNCIL OF THE
TOWN OF NASHVILLE, INDIANA

President

R. D. Kuhn

Vice President

Chris

Member

R. S. K.

Member

Member

ATTEST:

Brenda Kay Young

Clerk-Treasurer