

ORDINANCE NO. 2022-01

AN ORDINANCE TO AMEND THE 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 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 water works plant, provide for depreciation, maintenance, bond and interest charges, provide for a return on its utility plant, to finance needed extensions and additions to the waterworks system, and to rebuild the system to correct the 54% leakage in the system are inadequate, and that the existing rates and charges should therefore be increased, and;

WHEREAS, the Nashville Water Utility purchases its water wholesale from other water utilities and the wholesale cost of water may substantially increase, and;¹

WHEREAS, it is necessary that the present rate schedules of the Nashville Water Utility 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, the Utility Service Board and the Nashville Town Council had a joint meeting on February 17 and February 23, 2022, and after due consideration and discussion after receiving an analysis of current rates and charges and the need to upgrade the system after receiving an analysis of current rates and charges and recommendations from MS Consultant Engineer Nathan DeLisle and MOC Dax Norton that the water loss rate was 54% in 2021, and is the same this year, the USB recommended and the Nashville Town Council approved amendments as set forth below, and;

Whereas, O.W. Krohn & Associates, financial consultants for the Town, has prepared a rate study which takes into account the repeal of the Utility Receipts Tax as approved in HEA 1002, and;

WHEREAS, the Notice of a Public Hearing was published in the Brown County Democrat on March 30, 2022, and;

WHEREAS, the Notice of the Public Hearing was mailed to all Nashville Water Utility Customers by the Nashville Municipal Utilities on April 3, 2022, and;

WHEREAS, Notice of Public Hearing and Proposed Ordinance 2022-01 was posted on the Town of Nashville Web-Site {www.townofnashville.org}, and the Nashville Town Hall and Nashville Water Utility Offices on March 29, 2022, and;

¹The metered rates and charges shall be subject to a wholesale water cost tracking factor {WTCF} occasioned solely by changes in the cost of purchasing water for resale from Town's wholesale water providers. WCTF shall be amended from time to time whenever any of the Town's wholesale water providers amend their respective wholesale rate to the Nashville Water Utility. The WCTF will be based upon the total increase in the cost of purchased water, adjusted for the cost of water line losses and Utility Receipts Taxes.

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WHEREAS, the Public Hearing was held on April 21, 2022 from 6:41 pm to 6:42 pm at the Nashville Town Hall located in Nashville, Indiana;

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

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	\$14.37
Over 10,000 gallons	\$12.63
<u>Outside Town</u>	
First 10,000 gallons	\$18.52
Over 10,000 gallons	\$16.28

METERED USER SERVICE CHARGE SCHEDULE

Each user shall pay a service charge in accordance with the following applicable size of meter installed. The service charge shall be in addition to the above metered rates.

<u>Meter Size</u>	<u>Inside Town and Outside Town Monthly Charges</u>
5/8" meter	\$8.25
3/4" meter	\$9.01
1" meter	\$12.53
1 ½" meter	\$15.94
2" meter	\$43.83
3" meter	\$57.36
4" meter	\$164.50
6" meter	\$222.30
8" meter	\$290.77

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 Town Administration.

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FIRE SERVICE CHARGE PER ANNUM

Fire Charges (per annum)

Private hydrants, per hydrant	\$773.84
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MINIMUM MONTHLY CHARGES

Each user shall pay a minimum monthly charge equal to 2,000 gallons of water usage each month applied to the appropriate metered rate plus any additional charges dictated by this Ordinance.

TAP CHARGE

At the time of connection with the waterworks system each new user shall pay a charge to cover the basic costs of excavating and tapping the main, furnishing and installing twenty (20) feet of service pipe from the main to the water meter; furnishing and installing corporation and stop valves; furnishing and installing meter crock (if outside), yoke and meter. The basic charge for these materials and the necessary labor for a 5/8" meter tap shall be One Thousand Four Hundred Dollars (\$1,400.00). Any 5/8" meter tap requiring work or materials beyond that described above shall be charged the actual additional cost of labor, material, power, machinery, transportation and overhead incurred in installing the tap, but in no circumstances shall these charges be less than the basic charge for a 5/8" meter tap.

The charge for a tap larger than the 5/8" meter tap shall be the actual 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 required for a 5/8" meter tap, an additional review fee of Two Hundred Dollars (\$200.00) shall be charged and is to be paid prior to beginning the review. Whenever the review requires work in excess of six (6) hours, then the review fee shall be based on the actual time and materials required in performing the review, but the fee shall never be less than Two Hundred Dollars (\$200.00).

ACCOUNT DEPOSITS

Each user shall pay an account deposit of \$100.00 prior to providing service.

Whenever service is disconnected for non-payment, each user shall be required to provide a deposit equal to the highest monthly service charge or \$100.00 whichever is greater prior to reinstating service.

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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 \$40.00 during business hours and \$60.00 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 \$95.00 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 (17) days of the date of issue of that bill. If the delinquent amount is not paid within this ten (17) day period, the water supply to the customer may be discontinued without further notice.

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CAPACITY FEE

The Capacity Fee is based on EDU's (equivalent dwelling unit) and the charge increases with the meter size.

<u>Water Meter size:</u>	<u>Capacity Fee (per EDU):</u>
5/8" meter	\$1,500.00
3/4" meter	\$1,500.00
1" meter	\$3,750.00
1 1/2" meter	\$8,700.00
2" meter	\$15,000.00
3" meter	\$34,500.00
4" meter	\$60,000.00
6" meter	\$136,500.00
8" meter	\$242,700.00

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 June 2022 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.

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PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF
NASHVILLE, BROWN COUNTY, INDIANA, THIS 5th DAY OF May, 2022.

ATTEST:

Brenda K. Young
Brenda K. Young
Clerk-Treasurer

Nancy Crocker yea nay abstain
Council President Nancy Crocker

Anna Hofstetter yea nay abstain
Council Vice-President Anna Hofstetter

Jane Gore yea nay abstain
Council Member Jane Gore

Tyra Miller yea nay abstain
Council Member Tyra Miller

Wanda E. Jones
Wanda E. Jones
Town Attorney

Dave Rudd yea nay abstain
Council Member Dave Rudd