

## **ORDINANCE 12-01**

### **AN ORDINANCE OF THE CITY OF WESTFIELD CONCERNING WATER RATES AND CHARGES AND AMENDING THE “WATER SERVICE RULES AND REGULATIONS” AND AMENDING PRIOR ORDINANCES OF THE WESTFIELD DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the City of Westfield, Indiana (the “City”) is governed by the City Council (the “Council”): and

**WHEREAS**, the City owns and operates a water utility through its Department of Public Works (the “Department”): and

**WHEREAS**, the City operates a water utility and has in place rates, charges and fees pursuant to water Ordinances and this ordinance amendment change shall have no effect on any other ordinance already in full force effect: and

**WHEREAS**, the Council adopted rates and charges for water service pursuant to Ordinance 06-28 enacted on September 14, 2006; and Ordinance 09-04 on April 13, 2009 enacted: and

**WHEREAS**, the Council has the authority to amend ordinances and to establish and adjust rates and charges for water utility service, and

**WHEREAS**, the City requested its financial adviser to examine the rates and charges in respect to the cost of service for providing water utility service to the City’s customers: and

**WHEREAS**, as a result of the cost of service studies conducted by the City’s financial adviser, the Council has determined that it is in the best interest of the City to adjust the City’s rates and charges to fully recover the reasonable and necessary costs of serving its customers pursuant to IC 8-1.5-3-8: and

**WHEREAS**, the City finds that the changes contemplated hereby are reasonable, non-discriminatory and just; and

**WHEREAS**, the Council has been advised that the proper notice has been given as required and a hearing on the rate changes has been conducted by the Council;

**NOW, THEREFORE, BE IT ORDAINED, by this City Council of the City of Westfield, Indiana, meeting in regular session, that:**

**ORDINANCE 12-01 is ADOPTED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the Westfield City Council, Hamilton County.**

**WESTFIELD CITY COUNCIL**

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ John Dippel	_____ John Dippel	_____ John Dippel
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

\_\_\_\_\_  
Cindy J. Gossard, Clerk-Treasurer

“I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.”

\_\_\_\_\_  
Signed

This ordinance prepared by  
Brian Zaiger, Attorney at Law  
KRIEG DEVAULT, LLP  
One Indiana Square  
Indianapolis, Indiana  
317-238-6233

I hereby certify that ORDINANCE 12-01 was delivered to the Mayor of Westfield

on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy J. Gossard, Clerk Treasurer

I hereby APPROVE ORDINANCE 12-01

this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

I hereby VETO ORDINANCE 12-01

this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
J. Andrew Cook, Mayor

\_\_\_\_\_  
J. Andrew Cook, Mayor

Exhibit A

City of Westfield  
Water Service Rates and Charges

Section 1. The Water Services Rules and Regulations, as adopted by Ordinance 03-21 and as amended by Ordinance 05-26 Ordinance 06-28, and Ordinance 09-04 are hereby amended.

Section 2. The actions of the City and Department staff working under the provisions of this Ordinance are to be deemed in accordance with City policy.

Section 3. Any current City or Department policy in effect contrary to the provisions of this Ordinance shall be deemed void. Any portion of this Ordinance that may later be deemed invalid shall not affect the remaining provisions.

Section 4. This Ordinance shall become effective upon its adoption and proper publication in accordance with Indiana law; provided, however, that the rates adopted on “Table 1” shall be effective for bills rendered after April 15, 2012. All ordinances or parts thereof in conflict herewith are hereby ordered repealed, except as set forth herein.

Section 5. Service Area. For those areas served by Westfield located inside Westfield’s corporate limits and identified on the attached service area map Exhibit B as “Westfield Service Territory,” the rates and charges will be as follows:

Table 1

**City of Westfield**  
**Water Service Rates and Charges**

*All Metered Users: Monthly Rate = Base Charge + Usage Charges*

<b>Residential</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>Monthly Base Charge</b>	<b>\$ 8.75</b>	<b>\$ 9.63</b>	<b>\$ 10.11</b>	<b>\$ 10.41</b>	<b>\$ 10.62</b>

<b>Monthly Usage Per 1,000 Gallons</b>					
<b>First 5,000 gallons</b>	<b>\$ 3.00</b>	<b>\$ 3.50</b>	<b>\$ 3.68</b>	<b>\$ 3.79</b>	<b>\$ 3.87</b>
<b>Next 5,000 gallons</b>	<b>\$ 3.50</b>	<b>\$ 3.50</b>	<b>\$ 3.68</b>	<b>\$ 3.79</b>	<b>\$ 3.87</b>
<b>Over 10,000 gallons - Residential</b>	<b>\$ 5.00</b>	<b>\$ 5.00</b>	<b>\$ 5.25</b>	<b>\$ 5.41</b>	<b>\$ 5.52</b>

## Non Residential

### Monthly Base Charges:

<u>Meters</u>		<u>Area Ratio</u>	2012	2013	2014	2015	2016
5/8' - 3/4"	Inch or less	1	\$ 8.75	\$ 9.63	\$ 10.11	\$ 10.41	\$ 10.62
1	Inch Meter	2.5	\$ 20.00	\$ 22.00	\$ 23.10	\$ 23.79	\$ 24.27
1.25	Inch Meter	4.0	\$ 32.00	\$ 35.20	\$ 36.96	\$ 38.06	\$ 38.83
1.5	Inch Meter	5.8	\$ 46.40	\$ 51.04	\$ 53.59	\$ 55.19	\$ 56.31
2	Inch Meter	10.0	\$ 80.00	\$ 88.00	\$ 92.40	\$ 95.16	\$ 97.08
3	Inch Meter	23.0	\$ 184.00	\$ 202.40	\$ 212.52	\$ 218.87	\$ 223.28
4	Inch Meter	40.0	\$ 320.00	\$ 352.00	\$ 369.60	\$ 380.64	\$ 388.32
6	Inch Meter	91.0	\$ 728.00	\$ 800.80	\$ 840.84	\$ 865.96	\$ 883.43
8	Inch Meter	161.8	\$ 1,294.40	\$ 1,423.84	\$ 1,495.03	\$ 1,539.69	\$ 1,570.75

Monthly Usage Per 1,000 Gallons	2012	2013	2014	2015	2016
First 5,000 gallons	\$ 3.00	\$ 3.50	\$ 3.68	\$ 3.79	\$ 3.87
Next 5,000 gallons	\$ 3.50	\$ 3.50	\$ 3.68	\$ 3.79	\$ 3.87
Over 10,000 gallons - Non-Res.	\$ 3.00	\$ 3.00	\$ 3.15	\$ 3.24	\$ 3.30

### Public Fire Protection Service Fee Per Month

#### *Inside City*

<u>Meters</u>		<u>Area Ratio</u>	2012	2013	2014	2015	2016
5/8 - 3/4	Inch Meter	1.0	\$2.76	\$3.11	\$3.27	\$3.37	\$3.44
1	Inch Meter	2.5	\$6.90	\$7.78	\$8.18	\$8.43	\$8.60
1.25	Inch Meter	4.0	\$11.04	\$12.44	\$13.08	\$13.48	\$13.76
1.5	Inch Meter	5.8	\$16.01	\$18.04	\$18.97	\$19.55	\$19.95
2	Inch Meter	10.0	\$27.60	\$31.10	\$32.70	\$33.70	\$34.40
3	Inch Meter	23.0	\$63.48	\$71.53	\$75.21	\$77.51	\$79.12
4	Inch Meter	40.0	\$110.40	\$124.40	\$130.80	\$134.80	\$137.60
6	Inch Meter	91.0	\$251.16	\$283.01	\$297.57	\$306.67	\$313.04

#### *Outside City*

<u>Meters</u>		<u>Area Ratio</u>	2012	2013	2014	2015	2016
5/8 - 3/4	Inch Meter	1.0	\$5.66	\$6.23	\$6.54	\$6.74	\$6.87
1	Inch Meter	2.5	\$14.15	\$15.58	\$16.35	\$16.85	\$17.18
1.25	Inch Meter	4.0	\$22.64	\$24.92	\$26.16	\$26.96	\$27.48
1.5	Inch Meter	5.8	\$32.83	\$36.13	\$37.93	\$39.09	\$39.85
2	Inch Meter	10.0	\$56.60	\$62.30	\$65.40	\$67.40	\$68.70
3	Inch Meter	23.0	\$130.18	\$143.29	\$150.42	\$155.02	\$158.01
4	Inch Meter	40.0	\$226.40	\$249.20	\$261.60	\$269.60	\$274.80
6	Inch Meter	91.0	\$515.06	\$566.93	\$595.14	\$613.34	\$625.17

**Fire Sprinkler Systems**

**Monthly Service Fee**

Line Size	2012	2013	2014	2015	2016
2 inches	\$15.76	\$17.34	\$18.20	\$18.75	\$19.12
3 inches	\$31.64	\$34.80	\$36.54	\$37.64	\$38.39
4 inches	\$47.40	\$52.14	\$54.74	\$56.39	\$57.51
6 inches	\$79.03	\$86.94	\$91.28	\$94.02	\$95.90
8 inches	\$142.30	\$156.54	\$164.36	\$169.29	\$172.68
10 inches	\$283.56	\$311.92	\$327.51	\$337.34	\$344.08

**Private Fire Hydrants**

**Monthly Service Fee**

2012	2013	2014	2015	2016
\$ 79.03	\$ 86.94	\$ 91.28	\$ 94.02	\$ 95.90

Section 6. Non-recurring Charges. The following non-recurring charges shall be charged by the Department throughout all of Westfield’s service areas:

Section 7. Reconnection Charge. All customers shall be subject to a reconnection charge to reconnect disconnected service.

Reconnection Charge-----\$24.00

Section 8. Return Check Charge. All customers shall be subject to a return check charge for checks returned for insufficient funds.

Return Check Charge-----\$27.00

Section 9. Administrative Account Change Fee. For customers choosing to change information on their accounts, these customers shall be assessed a fee for such change. (In Lieu of Meter Connection Fee or Meter Deposit Fee.)

Administrative Account Change Fee -----\$20.00

Section 10. Lawn Irrigation Permit. Any customer who chooses to install a lawn irrigation service, must obtain a Lawn Irrigation Permit through the City Public Works Department. An Encroachment Permit may also be required.

Lawn Irrigation Permit Fee-----\$250.00

Section 11. Fire Service Application. Any customer who plans on installing a fire service must complete a Fire Service Application.

New Fire Service Application Fee-----\$250.00

Section 12. Change in Existing Fire Service. Any customer who plans to modify or change an existing Fire Service must complete an Application for Existing Fire Service.

Change in Existing Fire Service Fee-----\$250.00

Section 13. Meter Testing Charge. Any customer who requests a meter test will be permitted one meter testing at no charge. Any customer requesting a second meter test within 12 months of the previous test or sequential test will be charged a fee per the schedule below. Should the meter test determine the meter to be malfunctioning, the fee shall be waived and an adjustment will be assessed to the account by the Customer Service Division based on historical data.

5/8” to 2” Meter Test-----\$37.50  
Greater than 2” -----Actual Cost

Section 14. After Hours Turn On/Turn Off. Any customer who requests that water service be turned on or turned off, at no fault of the City or Department, outside of normal business hours shall pay an After Hours Turn On/Turn Off Fee. The customer shall pay an after-hours service call charge of \$45.00 per hour, with a minimum charge of one hour.

After Hours Turn On/Turn Off Fee \$45.00 per hour

Section 15. After Hours Service Call.

Any customer who requests service outside of normal business hours, at no fault of the City or Public Work’s Department shall be assessed an After Hours Service Fee. The customer shall pay an After Hours service call charge of \$45.00 per hour, with a minimum charge of one hour.

After Hours Service Call Fee \$45.00 per hour

Section 16. Credit Card.

Any customer who conducts a credit card transaction via a credit card shall be assessed a transaction fee charge as set or determined by a third party vendor.

Section 17. Customer Account Deposit.

Any existing or new customers rendering services, that have a history of poor credit ratings either with the City of Westfield Public Works Department or have a documented poor credit rating, shall deposit an amount not to exceed an amount equal to 3 monthly water bills based on 5000 gallons usage. Administration of Customer Account Deposits will be administered pursuant to IC 39-9-23-28.

Attachment B

WPWD Service Area - Water

