ORDINANCE 13- 20

ORDINANCE OF THE CITY OF WESTFIELD ADOPTING CHANGES TO UTILITY RATES AS MODIFIED BY THE WESTFIELD BOARD OF PUBLIC WORKS

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, it is the duty and the responsibility of the Council to manage the utility rates for the City owned municipal utilities; and

WHEREAS, the Westfield Board of Public Works ("BPW") through the authority granted to it by Ordinance 13-07, has implemented certain changes to the rates that were adopted by the Council in Ordinances 12-01 (water rates) and 12-02 (sewer rates) in order to mitigate unintended rate shock on certain utility customers resulting from implementation of the 12-01 and 12-02 rates; and

WHEREAS, under the authority granted to it by Ordinance 13-07, the BPW began charging these revised rates effective January 1, 2013; and

WHEREAS, the BPW and the Council wish to formally amend the rates adopted by the Council in Ordinances 12-01 (water rates) and 12-02 (sewer rates) through adoption of this Ordinance; and

WHEREAS, the Council has been advised of the changes to the utility rates implemented by the BPW; and

WHEREAS, after being duly advised in the issues and modifications made by the BPW, the Council now finds that the adoption and implementation of the following Ordinance is in the best interests of the citizens of the City of Westfield.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

Section 1. The Council does now adopt the rates as found to be appropriate by the Westfield BPW and changed as reflected on Exhibit "A" and Exhibit "B" attached hereto and incorporated by reference herein ("Revised Rates").

Section 2. Effective as of the date of this Ordinance, the Council hereby adopts the Revised Rates, which amend and supersede the utility

rates set forth in Ordinances 12-01 (water rates) and 12-02 (sewer rates).

Section 3 . That the Chief Executive Officer shall administer the provisions of this Ordinance and shall cause the same to be implemented into the Westfield Code of Ordinances and all rate schedules.

Section 4. This Ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the City Council, its publication in accordance with law and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby ordered amended or repealed. In the event any portion of this Ordinance is later deemed invalid all remaining portions shall remain in place. All acts taken pursuant to the adoption of this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED THIS _____DAY OF _____2013.

WESTFIELD CITY COUNCIL

Voting For	**Voting Against**	**Abstain**
_____	_____	_____
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 hereby certify that ORDINANCE 13-20 was delivered to the Mayor of Westfield

on the _____ day of _____, 2013, at _____ ____ m.

_____
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 13-20

this _____ day of _____, 2013.

_____
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 13-20

this _____ day of _____, 2013.

_____
J. Andrew Cook, Mayor

ATTEST:

_____
Cindy J. Gossard, Clerk Treasurer

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

City of Westfield

Water Service Rates and Charges - Per Board of Works Administrative Amendments

All Metered Users: Monthy Rate = Base Charge + Usage Charges

Residential

	2012	2013	2014	2015	2016
Monthly Base Charge	$ 8.75	$ 9.63	$ 10.11	$ 10.41	$ 10.62

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
Next 15,000 gallons	5.00	5.00	5.25	5.41	5.52
Over 25,000 gallons	3.00	3.00	3.15	3.24	3.30

Non Residential

Monthly Base Charges:

Meters		Area Ratio	2012 Actual	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	8.75	22.00	23.10	23.79	24.27
1.25	Inch Meter	4.0	8.75	35.20	36.96	38.06	38.83
1.5	Inch Meter	5.8	8.75	51.04	53.59	55.19	56.31
2	Inch Meter	10.0	8.75	88.00	92.40	95.16	97.08
3	Inch Meter	23.0	8.75	202.40	212.52	218.87	223.28
4	Inch Meter	40.0	8.75	352.00	369.60	380.64	388.32
6	Inch Meter	91.0	8.75	800.80	840.84	865.96	883.43
8	Inch Meter	161.8	8.75	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
Next 15,000 gallons	5.00	5.00	5.25	5.41	5.52
Over 25,000 gallons	3.00	3.00	3.15	3.24	3.30

Public Fire Protection Service Fee Per Month

Inside City

Meters		Area Ratio	2012 Actual	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	2.76	3.11	3.27	3.37	3.44
1.25	Inch Meter	4.0	2.76	3.11	3.27	3.37	3.44
1.5	Inch Meter	5.8	2.76	3.11	3.27	3.37	3.44
2	Inch Meter	10.0	2.76	3.11	3.27	3.37	3.44
3	Inch Meter	23.0	2.76	3.11	3.27	3.37	3.44
4	Inch Meter	40.0	2.76	3.11	3.27	3.37	3.44
6	Inch Meter	91.0	2.76	3.11	3.27	3.37	3.44

Outside City

Meters		Area Ratio	2012 Actual	2013	2014	2015	2016
5/8 - 3/4	Inch Meter	1.0	$5.66	$3.11	$3.27	$3.37	$3.44
1	Inch Meter	2.5	5.66	3.11	3.27	3.37	3.44
1.25	Inch Meter	4.0	5.66	3.11	3.27	3.37	3.44
1.5	Inch Meter	5.8	5.66	3.11	3.27	3.37	3.44
2	Inch Meter	10.0	5.66	3.11	3.27	3.37	3.44
3	Inch Meter	23.0	5.66	3.11	3.27	3.37	3.44
4	Inch Meter	40.0	5.66	3.11	3.27	3.37	3.44
6	Inch Meter	91.0	5.66	3.11	3.27	3.37	3.44

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

	2012	2013	2014	2015	2016
Monthly Service Fee	$ 79.03	$ 86.94	$ 91.28	$ 94.02	$ 95.90

Administrative Account Change Fee. For customers choosing to change information on their accounts, these customers shall be assessed a fee for such change in the amount of $20.00 (in lieu of Meter Connection Fee or Meter Deposit Fee).

Lawn Irrigation Permit. Any customer who chooses to install a lawn irrigation service, must obtain a Lawn Irrigation Permit through the utility in the amount of $250.00. An Encroachment Permit may also be required.

Fire Service Application. Any customer who plans on installing a fire service must complete a Fire Service Application. The New Fire Service Application Fee shall be $250.00.

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. The fee for a change in an existing fire service shall be $250.00.

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. Fees for testing shall be:

5/8" to 2" Meter Test: $37.50
Greater than 2": Actual Cost

After Hours Turn On/Turn Off. Any customer who requests that water service be turned on or turned off, at no fault of the utility, 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 Service Call. Any customer who requests service outside of normal business hours, at no fault of the utility, 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.

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.

Customer Account Deposit. Any existing or new customers rendering services, that have a history of poor credit ratings with the utility or have a documented poor credit rating, shall deposit an amount not to exceed an amount equal to 3 monthly water bills based on 5,000 gallons usage. Administration of Customer Account Deposits will be administered pursuant to IC 39-9-23-28.

City of Westfield

Waste Water Rates and Charges -- Per Board of Works Administrative Amendments

RESIDENTIAL SEWER RATES

Total monthly charges consist of Base + Usage

		2012	2013	2014	2015	2016
Base Charge		$ 13.51	$ 14.73	$ 15.32	$ 15.78	$ 16.10
Proposed Minimum Usage Charges	0-5000 gallons	$ 29.35	$ 32.00	$ 33.30	$ 34.30	$ 35.00
Total of Minimum Charges		*$ 42.86*	*$ 46.73*	*$ 48.62*	*$ 50.08*	*$ 51.10*
All Usage over 5000 gallons	Rate per 1,000 gallons	$ 5.87	$ 6.40	$ 6.66	$ 6.86	$ 7.00

Summer Sewer Savings Program

For the months of June-September, usage billed will be based upon the lesser of actual or winter average water usage. Winter average water usage shall be calculated using the 125% of each customer's average for the previous November - February. If no reliable history is available, the winter average will equal 9,000. In no event will the sewer usage billed be less than 5,000 which is the minimum charge.

Monthly Rate for Unmetered Residential (Residential Base + Usage for 9000 gallons)	$ 66.34	$ 72.33	$ 75.26	$ 77.52	$ 79.10

NON-RESIDENTIAL SEWER RATES

Non-Residential Users - Base Meter Charge

		2012 Actual	2013	2014	2015	2016
5/8 - 3/4	Inch Meter	$ 13.51	$ 14.73	$ 15.32	$ 15.78	$ 16.10
1	Inch Meter	13.51	36.82	38.29	39.44	40.23
1 1/4	Inch Meter	13.51	36.82	38.29	39.44	40.23
1 1/2	Inch Meter	13.51	36.82	38.29	39.44	40.23
2	Inch Meter	13.51	36.82	38.29	39.44	40.23
3	Inch Meter	13.51	36.82	38.29	39.44	40.23
4	Inch Meter	13.51	36.82	38.29	39.44	40.23
6	Inch Meter	13.51	36.82	38.29	39.44	40.23
8	Inch Meter	13.51	36.82	38.29	39.44	40.23

Non-Residential Users - Total Minimum Charge (Minimum Usage + Base Meter Charge)

		Min Gallons	2012 Actual	2013	2014	2015	2016
5/8 - 3/4	Inch Meter	5,000	$ 42.86	$ 46.73	$ 48.62	$ 50.08	$ 51.10
1	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
1 1/4	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
1 1/2	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
2	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
3	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
4	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
6	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23
8	Inch Meter	12,000	42.86	113.62	118.21	121.76	124.23

All Usage over Meter Size Minimum	2012	2013	2014	2015	2016
Rate per 1,000 gallons	$ 5.87	$ 6.40	$ 6.66	$ 6.86	$ 7.00

Other Charges.

All customers shall be subject to the following charges:

Reconnection Charge…….$24.00

Returned Check Charge ……$27.00

Administrative Account Charge ……..$20.00
Fee for customers choosing to change
Information on their account.

After Hours Service Call. Any customer who requests service outside of normal business hours, at no fault of the utility, 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.

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.