

Ordinance 06-28

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTFIELD
AMENDING THE "WATER SERVICE RULES AND REGULATIONS"
OF THE WESTFIELD DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Town of Westfield, Indiana (the "Town") is governed by the Town Council (the "Council"); and

WHEREAS, the Town owns and operates a water utility through its Department of Public Works (the "Department"); and

WHEREAS, the Council adopted rates and charges for water service pursuant to Ordinance 2002-16 enacted on February 25, 2002, which were recodified as Exhibit "A1" to the Town's Water Service Rules and Regulations pursuant to Ordinance 03-21 enacted on October 13, 2003, as amended by Ordinance 05-26 adopted by the Council on September 12, 2005; 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 Town requested its financial adviser to examine the rates and charges set forth on Exhibit "A1" ("Exhibit A1") of the Water Service Rules and Regulations with respect to the cost of service for providing water utility service to the Town's customers; and

WHEREAS, as a result of the examination by the Town's financial adviser, the Council has determined that it is in the best interests of the Town to have the Town's rates and charges increased to reflect the actual cost of service in areas served by the Town that are located outside the Town's corporate limits and that are located in the southern portion of Westfield's service area and within the Town's corporate limits; and

WHEREAS, as a result of the examination by the Town's financial adviser, the Council has determined that it is in the best interests of the Town to implement a public fire protection charge to customers located within the Town's corporate limits; and

WHEREAS, as a result of the examination by the Town's financial adviser, the Council has determined that it is in the best interests of the Town to increase certain non-recurring charges and to implement an after hours turn on/turn off fee; and

WHEREAS, as a result of the examination by the Town's financial adviser, the Town has determined that it is in the best interests of the Town to have the Town's rates and charges be uniform and consistent to all customers located within the Town's corporate limits; and

WHEREAS, the Council has determined that it is in the best interests of the Town to fully recover the costs of serving its customers; and

WHEREAS, the Council has determined that it is in the best interests of the Town to avoid rate shock to the Town's customers located within the Town's corporate limits by phasing-in over a five-year period the increases in rates and charges contemplated hereby; and

WHEREAS, the Town has consulted with its financial advisor and finds that the changes contemplated hereby are reasonable, non-discriminatory and just; and

WHEREAS, the Council desires to amend Exhibit A1 consistent with the determinations of the examination of its financial adviser; and

WHEREAS, Attachment 1 to this Ordinance incorporates the changes to Exhibit A1 recommended by the Town's financial adviser; and

WHEREAS, the Town has given proper notice of the changes outlined in Attachment 1;

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Westfield, meeting in regular session, that:

Section 1. The Water Service Rules and Regulations, as adopted by Ordinance 03-21 and as amended by Ordinance 05-26, are hereby amended by deleting Exhibit A1 from the Water Service Rules and Regulations and by substituting Attachment 1 hereto as a new Exhibit A1.

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

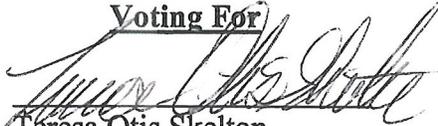
Section 3. Any current Town or Department policy in effect contrary to the provisions of this Ordinance shall be deemed void. Any portion of this Ordinance that may later be deemed invalid shall not affect the remaining provisions.

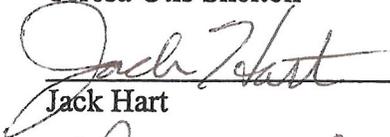
Section 4. This Ordinance shall become effective upon its adoption and proper publication in accordance with Indiana law; provided, however, that the rates adopted on Exhibit "A1" shall be effective for bills rendered after October 1, 2006. All ordinances or parts thereof in conflict herewith are hereby ordered repealed.

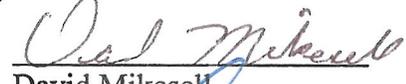
ALL OF WHICH IS ORDAINED this 14 day of Sept, 2006.

WESTFIELD TOWN COUNCIL

Voting For


Teresa Otis Skelton


Jack Hart


David Mikesell


Bob Smith


Ron Thomas

Voting Against

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

Ron Thomas

Abstain

Teresa Otis Skelton

Jack Hart

David Mikesell

Bob Smith

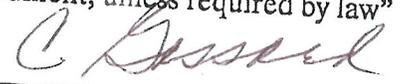
Ron Thomas

ATTEST:


Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
David T. McGimpsey

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



Signed

Exhibit "A1"
Town of Westfield
Water Service Rates and Charges

Section A. North Service Area. For those areas served by Westfield located inside Westfield's corporate limits and identified on the attached service area map as "Westfield – North", the rates and charges will be as follows:

Section A.1 Metered Rates.

Monthly Minimum Charge 5/8", 3/4", and 1": (2000 gallons) \$8.76

<u>Monthly Usage</u>	<u>Per 1,000 Gallons</u>
First 3,000 gallons	\$4.38
Next 2,000 gallons	\$3.39
Next 20,000 gallons	\$2.85
All over 25,000 gallons	\$2.47

Section A.2 Hydrant Service Fees.

Private Hydrant Service Fee per year \$790.32

Public Fire Protection Service Fee per month

<u>Effective for Bills Rendered after the Dates Below</u>				
<u>1/1/2007</u>	<u>1/1/2008</u>	<u>1/1/2009</u>	<u>1/1/2010</u>	<u>1/1/2011</u>
\$ 0.47	\$ 0.94	\$ 1.41	\$ 1.88	\$ 2.36

Section A.3 Sprinkler Systems-Annual Service Fee.

<u>Meter Size (inches)</u>	<u>Annual Service Fee</u>
2 inches	\$157.59
3 inches	\$316.37
4 inches	\$473.96
6 inches	\$790.32
8 inches	\$1,423.04
10 inches	\$2,835.59

Exhibit "A1" Continued

Section B. South Service Area. For those areas served by Westfield located inside Westfield's corporate limits and identified on the attached service area map as "Westfield - South", the rates and charges shall be as follows:

Section B.1 Metered Rates.

	Effective for Bills Rendered after the Dates Below				
	1/1/2007	1/1/2008	1/1/2009	1/1/2010	1/1/2011
Residential Monthly Minimum					
Gallons	2,778	2,648	2,393	2,184	2,000
Charge	\$ 8.22	\$ 8.76	\$ 8.76	\$ 8.76	\$ 8.76
Commercial Monthly Minimum					
Gallons	5,000	5,000	5,000	5,000	5,000
Charge	\$ 14.40	\$ 15.75	\$ 17.10	\$ 18.45	\$ 19.92
<u>Monthly Usage</u>	<u>Per 1,000 gallons</u>				
First 3,000 gallons	\$ 2.96	\$ 3.31	\$ 3.66	\$ 4.01	\$ 4.38
Next 2,000 gallons	\$ 2.76	\$ 2.91	\$ 3.06	\$ 3.21	\$ 3.39
Next 5,000 gallons	\$ 2.31	\$ 2.44	\$ 2.57	\$ 2.70	\$ 2.85
Next 15,000 gallons	\$ 1.96	\$ 2.18	\$ 2.40	\$ 2.62	\$ 2.85
Over 25,000 gallons	\$ 1.54	\$ 1.77	\$ 2.00	\$ 2.23	\$ 2.47

Section B.2 Hydrant Service Fees.

	Effective for Bills Rendered after the Dates Below					
	10/1/2006	1/1/2007	1/1/2008	1/1/2009	1/1/2010	1/1/2011
Private Hydrant Service Fee Per Year						
	\$313.20	\$408.62	\$504.05	\$599.47	\$694.90	\$790.32
Public Fire Protection Service Fee per Month						
	\$ -	\$ 0.47	\$ 0.94	\$ 1.41	\$ 1.88	\$ 2.36

Section B.3 Sprinkler Systems-Annual Service Fee.

	Effective for Bills Rendered after the Dates Below					
	10/1/2006	1/1/2007	1/1/2008	1/1/2009	1/1/2010	1/1/2011
<u>Meter Size (inches)</u>						
2 inches	\$104.40	\$115.04	\$125.68	\$136.31	\$146.95	\$157.59
3 inches	\$156.60	\$188.55	\$220.51	\$252.46	\$284.42	\$316.37

Exhibit "A1" Continued

4 inches	\$208.80	\$261.83	\$314.86	\$367.90	\$420.93	\$473.96
6 inches	\$313.20	\$408.62	\$504.05	\$599.47	\$694.90	\$790.32
8 inches	\$417.60	\$618.69	\$819.78	\$1,020.86	\$1,221.95	\$1,423.04
10 inches	\$522.00	\$984.72	\$1,447.44	\$1,910.15	\$2,372.87	\$2,835.59

Section C. Services to Other Areas. For those areas served by Westfield that do not meet the criteria of Section A or Section B, which areas are identified on the attached service area map as "Outside of Westfield", the rates and charges shall be as follows:

Section C.1 Metered Rates.

Monthly Minimum Charge 5/8", 3/4", and 1":	(2000 gallons) \$8.76
<u>Monthly Usage</u>	<u>Per 1,000 Gallons</u>
First 3,000 gallons	\$4.38
Next 2,000 gallons	\$3.39
Next 20,000 gallons	\$2.85
All over 25,000 gallons	\$2.47

Section C.2 Hydrant Service Fees.

Private Hydrant Service Fee per year	\$790.32
Public Fire Protection Service Fee per month	\$4.72

Section C.3 Sprinkler Systems-Annual Service Fee.

<u>Meter Size (inches)</u>	<u>Annual Service Fee</u>
2 inches	\$157.59
3 inches	\$316.37
4 inches	\$473.96
6 inches	\$790.32
8 inches	\$1,423.04
10 inches	\$2,835.59

Section D. Non-recurring Charges. The following non-recurring charges shall be charged by the Department throughout all of Westfield's service area:

Exhibit "A1" Continued

Section D.1 Reconnection Charge. All customers shall be subject to a reconnection charge to reconnect disconnected service.

Reconnection Charge	\$22.00
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Section D.2 Bad Check or Insufficient Funds Charge. All customers shall be subject to a bad check charge or insufficient funds charge for checks returned for insufficient funds

Insufficient Funds Charge	\$22.00
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Section D.3 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	\$17.00
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Section D.4 Lawn Irrigation Permit. Any customer who chooses to own or operate a lawn irrigation service, must obtain a Lawn Irrigation Permit through the Town Public Works Department.

Lawn Irrigation Permit Fee	\$25.00
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Section D.5 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
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Section D.6 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
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Section D.7 Meter Testing Charge. Any customer who requests a meter test that requires a fee to be paid as established under Rules 11.6 and 11.7 shall pay as follows:

5/8" Meter Test	\$9.00
1" Meter Test	\$17.00
2" Meter Test	\$21.00
Greater than 2"	Actual Cost

Exhibit "A1" Continued

Section D.8 After Hours Turn On/Turn Off. Any customer who requests that water service be turned on or turned off, at no fault of the Town or Department, outside of normal business hours shall pay an After Hours Turn On/Turn Off Fee.

After Hours Turn On/Turn Off Fee	\$37.00
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