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Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented

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

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 as outlined by Exhibit "A" attached hereto and incorporated by reference herein.

Section 2. The area served by the Westfield Public Utilities is identified by Exhibit "B" attached hereto and incorporated by reference herein.

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. All acts undertaken to create this Ordinance are hereby ratified.

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ADOPTED AND PASSED this 12 day of March, 2012, by the Westfield City Council, Hamilton County.

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 12-01 was delivered to the Mayor of Westfield on the 13 day of Mar, 2012, at 2:20 pm

Cindy Gossard

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 12-01 this 14 day of March, 2012.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 12-01 this _____ day of _____, 2012.

J. Andrew Cook, Mayor

ATTEST:

Cindy J. Gossard

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."

Cindy Gossard
Signed

This ordinance prepared by
Brian Zaiger, Attorney at Law
KRIEG DEVAULT, LLP
12800 North Meridian St.
Carmel, Indiana
317-238-6266

Exhibit A

City of Westfield
Water Service Rates and Charges

Table 1

City of Westfield
Water Service Rates and Charges

All Metered Users: Monthly 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	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
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	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

Meters		Area Ratio	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

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

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

Reconnection Charge. All customers shall be subject to a reconnection charge to reconnect disconnected service of $24.00.

Return Check Charge. All customers shall be subject to a return check charge for checks returned for insufficient funds of $27.00.

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 City Public Works Department 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 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 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.

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 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.

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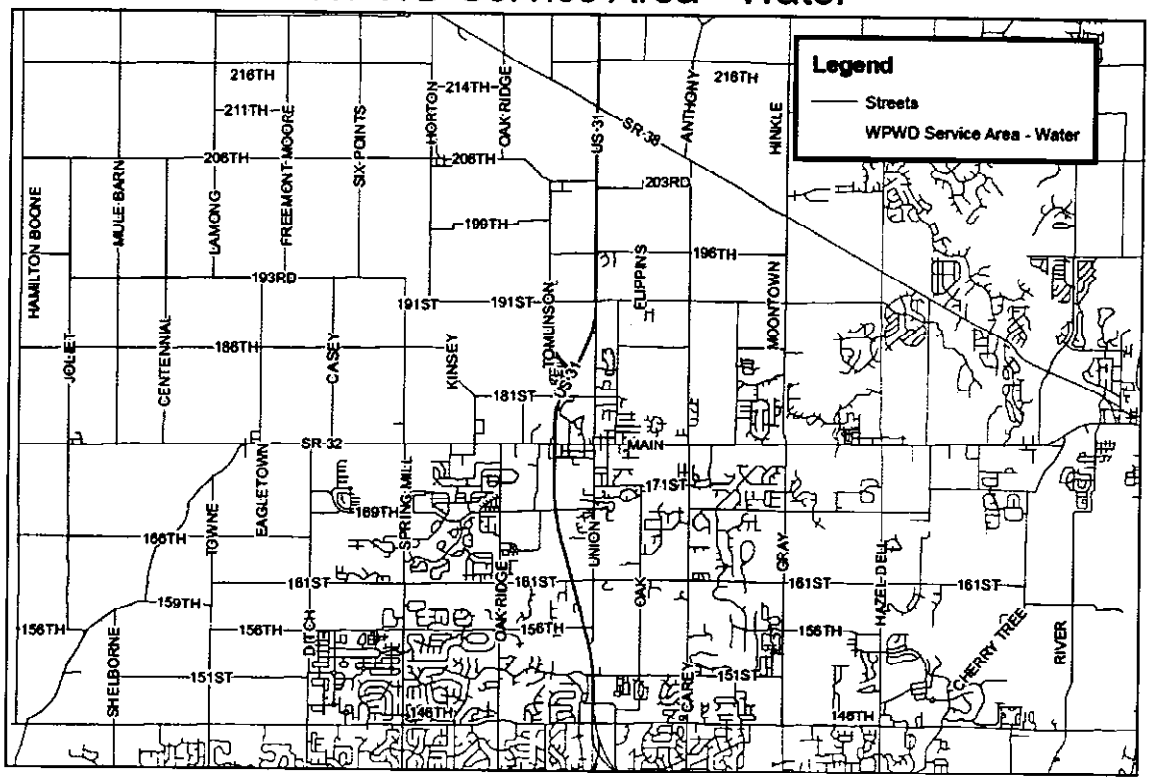
Attachment B

WPWD Service Area - Water