

ORDINANCE NO. F - 2014 - 22

INTRODUCED BY: CONOR O'DANIEL
COMMITTEE: FINANCE

**AN ORDINANCE TO AMEND THE SEWER RATES
AND CHARGES FOR
THE CITY OF EVANSVILLE, INDIANA**

WHEREAS, the City of Evansville, Indiana (the "City"), has heretofore constructed and has in operation a sewage works pursuant to IC 36-9-23 *et seq.* For the purpose of collecting and disposing of, in a sanitary manner, the sewage of the residents and other non-resident users of the sewer utility of the City; and

WHEREAS, the Common Council of the City (the "Council") has previously by ordinance established the existing schedule of user rates and charges for sewer service; and

WHEREAS, the City has employed H.J. Umbaugh & Associates, Certified Public Accountants, LLP (the "Financial Advisor") to prepare a rate report to calculate proposed rates and charges for handling bulk waste and fats oils and greases ("FOG"); and

WHEREAS, the Financial Advisor has prepared and submitted a rate report (the "Rate Report") which concludes that existing rates and charges are insufficient to pay all the necessary expenses incident to the costs for handling bulk waste and FOG; and

WHEREAS, pursuant to IC 36-9-23-26, this Council may change or adjust its existing schedule of fees by ordinance after providing notice and conducting a public hearing; and

WHEREAS, IC 36-9-23-25 authorizes this Council to adopt by ordinance a just and equitable schedule of fees for sewer services rendered by the City's sewage works; and

WHEREAS, because of and based upon such insufficiency of existing rates and charges, it is just, equitable, and reasonable to amend the existing schedules of fees herein for users of the sewer system; and

WHEREAS, the Clerk of the City has given notice of the public hearing on proposed rates as provided for in the Act; and

WHEREAS, the public hearing was held before this Council on the date hereof, at which time testimony from interested persons was received, after introduction of this ordinance and as provided for in the Act.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF EVANSVILLE, INDIANA:**

SECTION 1. The Council hereby finds and determines that, based upon the Rate Report, the existing rates and charges are insufficient to pay all the necessary expenses incident to the operation of the utility, including costs relating to handling bulk waste and FOG.

SECTION 2. The Council finds and determines that the proposed rates and charges as set forth in the Rate Report are just and equitable and therefore should be adopted.

SECTION 3. The Council finds and determines that the proposed rates set forth below should be adopted.

FILED

NOV 11 2014

Anna Wickhorst
CITY CLERK

SECTION 4. Section 13.05.010 of the Evansville Municipal Code is hereby amended by adding two (2) definitions to such Section as follows:

“Domestic Bulk Waste” means all domestic waste delivered to the City’s plant by an approved waste hauler. This definition shall be placed in Section 13.05.010 following the definition of “Debt” and before the definition of “Domestic wastewater”.

“Fats, Oils and Grease Waste” means all fats, oils and grease waste delivered to the City’s plant by an approved waste hauler. Such definition shall be placed in Section 13.05.010 following the definition of “Domestic wastewater” and before the definition of “Equipment replacement costs”.

SECTION 5. Chapter 13.05 of the Evansville Municipal Code is hereby amended by changing the currently existing Section 13.05.340 captioned “Penalty” to read 13.05.350 captioned “Penalty” and by adding a new Section 13.05.340 captioned “Waste Charges” which new Section shall read as follows:

“13.05.340 Waste Charges.

(A) Domestic Bulk Waste Charges – For purposes of computing charges hereunder, the charge will be based on the size of the load and the following schedule of charges:

<u>Size of Truck or Tank</u>	<u>Proposed Charges</u>
0 to 1,000 gallons	\$30.00
1,001 to 2,000 gallons	\$60.00
2,001 to 3,000 gallons	\$90.00
3,001 to 4,000 gallons	\$120.00

(B) Fats, Oils, and Grease Waste – For purposes of computing charges hereunder, the charge will be based on the size of the load and the following schedule of charges:

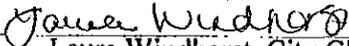
<u>Size of Truck or Tank</u>	<u>Proposed Charges</u>
0 to 1,000 gallons	\$85.00
1,001 to 2,000 gallons	\$170.00
2,001 to 3,000 gallons	\$255.00
3,001 to 4,000 gallons	\$340.00”

SECTION 6. This Ordinance shall be in effect on and after its date of passage.

Passed and adopted by the Common Council of the City of Evansville on the 8th day of December, 2014, and on said day signed by the President of the Common Council and attested by the City Clerk.

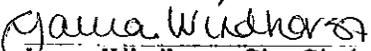
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John Friend, President of the Common Council,
City of Evansville, Indiana

ATTEST: 

Laura Windhorst, City Clerk
City of Evansville, Indiana

Presented by me, the undersigned City Clerk of the City of Evansville, Indiana, to the Mayor of said city, this 9th day of December, 2014, at 4 o'clock P.m. for his consideration and action thereon.

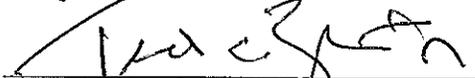


Laura Windhorst, City Clerk
City of Evansville, Indiana

Having examined the foregoing ordinance, I do now, as Mayor of the City of Evansville, Indiana, approve said Ordinance and return the same to the City Clerk this 10th day of December, 2014, at 11:00 o'clock A.m.



Lloyd Winnecke, Mayor
City of Evansville, Indiana



APPROVED AS TO FORM
BY TED C. ZIEMER, JR., CORPORATE COUNSEL