

ORDINANCE NO. 3455

An ordinance establishing new rates and charges for the use of and service rendered by the waterworks system of the City of New Castle, Indiana.

WHEREAS, the City of New Castle, is the owner of and operates a waterworks furnishing the public water supply to said City and its inhabitants; and

WHEREAS, the Common Council now finds that the existing rates and charges for the use of and service rendered by the waterworks of said City are too low and are insufficient to produce sufficient revenue to pay all of the necessary expenses incident to the operation of the utility, including maintenance costs, operating charges, upkeep, repairs, depreciation, interest charges on bonds, legal expenses and other obligations; to provide a sinking fund for the liquidation of bonds and other indebtedness; to provide adequate funds for working capital; funds for making extensions and replacements; funds for a reasonable return on the utility plant; and for the payment of taxes that may be assessed against such utility and for payments to the City in lieu of taxes that might be due to the City if the waterworks were privately owned; and that the existing rates and charges should be increased.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of New Castle Indiana:

SECTION 51.25 RATES.

That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the City of New Castle, the following rates and charges, based on the use of water supplied by said waterworks system:

(A) <u>Metered Rates Per Month</u>	<u>Rate Per 100 Cu. Ft.</u>
First 500 cu. ft.	\$ 2.30
Next 1,500 cu. ft.	2.15
Next 4,000 cu. ft.	1.91
Next 14,000 cu. ft.	1.79
Next 45,000 cu. ft.	1.57
Next 135,000 cu. ft.	1.44
Next 200,000 cu. ft.	1.22
Next 400,000 cu. ft.	0.94

(B) Minimum Charge Per Month

Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in the above schedule of rates.

<u>Size of Meter</u>	<u>Rate</u>
5/8-3/4 inch meter	\$ 9.20
1 inch meter	27.68
1-1/4 inch meter	36.91
1-1/2 inch meter	46.19
2 inch meter	69.16

3	inch meter	92.34
4	inch meter	184.52
6	inch meter	369.03
8	inch meter	1,507.33

(C)	<u>Fire Hydrant Rate</u>	<u>Per Annum</u>
	Public Hydrants - per hydrant	\$ 553.71
	Private Hydrants - per hydrant	553.71

(D)	<u>Automatic Sprinklers</u>	<u>Per Annum</u>
	1 inch connection	\$ 15.38
	1-1/2 inch connection	34.63
	2 inch connection	61.54
	3 inch connection	138.41
	4 inch connection	246.04
	6 inch connection	553.19
	8 inch connection	985.60

(E)	<u>Connection Charge</u>	
	5/8 inch meter	\$ 300.00
	3/4 inch meter	300.00

For connections requiring one inch meter sizes or larger, the connection charge shall be actual time and expense charges incurred by the utility, including the cost of labor, materials and equipment, but in no event shall the cost be less than \$300.00.

(F) Temporary Users

Water furnished to temporary users, such as contractors, etc., shall be charged on the basis of the above gallonage rates as estimated by the Waterworks Superintendent. When a meter is installed for such purposes, the regular water rates and minimum charges shall apply and the temporary user shall pay for the installation and removal of the meter.

(G) Reconnection Charge

A user fee shall be charged for the reconnection of service. The charge to the individual customer for reconnection of water service is \$15.00.

(H) After Hours Charge

In the event a customer requires service during hours other than the normal business hours (Monday through Friday, 8:00 a.m. to 4:00 p.m.) a charge shall be made to the customer of not less than \$40.00 or greater than \$200.00 for each such call. Said amount is to be determined by the cost of labor to the utility for the call.

(I) Meter Deposit

A meter deposit to customers shall be charged as follows:

Residential meter	\$ 50.00
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Commercial and Industrial meter 100.00

(J) Bad Check Charge

All checks returned to the utility due to insufficient funds in the customer's account shall result in a charge to that customer of \$30.00.

(K) Disconnection Charge

A customer who requests the utility disconnect service more than two times within a 48-hour period shall be charged the sum of \$10.00 for the third disconnection and a like charge for each disconnection thereafter within the 48-hour period.

(L) Collection or Deferred Payment Charges

All bills for water services not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of 10% of the first \$3.00 and 3% on the excess over \$3.00.

(M) Inspection Account

An inspection account may be set up, by the owner or an agent of the owner for the purpose of a plumbing inspection. The water service will be activated at upon time and left on no more than 72 hours. The cost for this service will be \$25.00. This will include the turn-on fee and maximum of two units of water and sewer use. The owner or agent will need two pieces of identification and proof of ownership, sales or utility activation agreement.

(N) Periodic Legislative Rate Review.

In hopes of minimizing the possibility of infrequent but higher rate increases and the resulting "rate shock" to the ratepayer, the Board (Board of Public Works) shall provide the Legislative Branch (the City Council) with a rate study showing the financial condition of the utility and a recommendation regarding the rates charged no less than every four years. The next such study shall be provided on or before January 30, 2009. Thereafter, reports shall be reviewed by Council on the 30<sup>th</sup> day of January, every four years.

Next report due	1-30-2009
Report due	1-30-2013
Report due	1-30-2017
Report due	1-30-2021

(Report due every four years thereafter)

SECTION 2.

All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this

ordinance shall be approved by the Indiana Utility Regulatory Commission of Indiana, and until such time as the order of said Commission approving said new rates and charges shall direct.

SECTION 3.

This ordinance shall be in full force and effect from and after its passage by signing by the Mayor, provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Indiana Utility Regulatory Commission of Indiana, or until such time as said Commission shall direct.

**REPEALER:** All ordinances or parts of ordinances in conflict herewith are hereby repealed. Those provisions of Title V, Chapter 51 of the City of New Castle Code of Ordinances not changed by this Ordinance shall remain in full force and effect.

**SEVERABILITY:** Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

**EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS 19<sup>th</sup> DAY OF December, 2005.

Thomas D Nipp  
Thomas Nipp, Presiding  
Officer, Common Council, City  
of New Castle, Indiana

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NAY

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Donald S. Huisman  
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James B. Kedd  
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Todd L. Holiday  
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Louise Pierce

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Sandra Gese  
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Richard Blain

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JH Hancock  
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ATTEST:  
Janice Lavarney  
Janice Lavarney,  
Clerk-Treasurer

APPROVED BY ME THIS 19<sup>th</sup> DAY OF December, 2005.

Thomas D Nipp  
Thomas Nipp, Mayor of the City  
Of New Castle, Indiana