

ORDINANCE 30-C-22

Synopsis: This Ordinance, if adopted, would amend the Surcharge Rates in Section 3 of Appendix A: User Rates and Charges of the Code of Ordinances of the City of Huntington, Indiana to remain compliant with the City's NPDES permit and IDEM regulations.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUNTINGTON, INDIANA BY AMENDING APPENDIX A, SECTION 3

WHEREAS, the Common Council ("Council") of the City of Huntington, Indiana ("City") has enacted and established certain user rates and charges to be collected from the customers of its wastewater works; and

WHEREAS, the City has caused evaluations to be undertaken with regard to the City's obligations to meet federal and state wastewater standards, including ongoing compliance with its approved Long Term Control Plan, and has also caused financial studies of its wastewater works to be made by its financial consultant, Baker Tilly, which has many years of experience and expertise in such matters; and

WHEREAS, those evaluations and studies establish that the revenues generated pursuant to the schedule of surcharge rates currently in force are inadequate to meet the needs of the wastewater works; and

WHEREAS, having evaluated available data in regard to these matters, Council now finds that the existing surcharge rates for the use of, and services rendered by, the City's wastewater works system are insufficient to properly operate and maintain those wastewater works, and to properly serve and safeguard the health, well-being, and property of the City and its inhabitants and wastewater system users, provide for depreciation, service outstanding indebtedness, and finance necessary upgrades and improvements to the system, and that certain surcharges should be increased; and

WHEREAS, the enabling statutes of the State of Indiana require that the rates and charges to be collected for the use of services rendered by that wastewater system shall be just and equitable fees fixed by ordinance finally adopted in accordance with the requirements of applicable authority; and

WHEREAS, Council conducted a public hearing regarding this ordinance following notice and publication as required by Indiana Code 36-9-23-26; and

Ordinance 30-C-22

NOW, THEREFORE, BE IT ORDAINED by Council that Section 3 of Appendix A of Chapter 51 of the City's Code of Ordinances ("Appendix A") is hereby repealed and replaced in its entirety as follows:

§ 3. SURCHARGE RATES.

Suspended Solids (in excess of 230 mg/l): \$0.28

Biochemical Oxygen Demand (in excess of 210 mg/l): \$0.31

BE IT FINALLY ORDAINED THAT, this ordinance shall be effective immediately upon its adoption and all ordinances or parts of ordinances in conflict herewith are repealed.

(Signature Block Next Page)

A motion to consider for final adoption on the same day of introduction was [NOT OFFERED] or NOT SUSTAINED or SUSTAINED] by a vote of ___ in favor and ___ in opposition.

Duly adopted on first reading this 8 day of November, 2022, by a vote of 5 in favor and 0 in opposition.

Duly adopted on final reading this 29 day of November, 2022, by a vote of 7 in favor and 0 in opposition.

CITY OF HUNTINGTON, INDIANA by its COMMON COUNCIL

Voting in Favor:

[Signature]
[Signature]

remote

[Signature]
[Signature]

[Signature]

Voting in Opposition:

Charles Chapman
(President)

Joe Blomeke

P J Felton

Dave Funk

Todd Johnson

Seth Marshall

Paul Pike

Attest:

[Signature]
Christi A. McElhaney, Clerk-Treasurer

Presented by me to the Mayor for approval or veto, this 29 day of November, 2022.

[Signature]
Christi A. McElhaney, Clerk-Treasurer

This ordinance having been adopted by the Common Council and presented to me is [APPROVED] or VETOED], this 29 day of November, 2022.

[Signature]
Richard Strick, Mayor