

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	January 15, 2025	Meeting Date:	Jan. 22, 2025
Contact Information:			
Requested by:	Joanna Tennell, Senior Planner		
On Behalf of Organization or Individual: City of Franklin			
Telephone:	317-736-3631		
Email address:	jtennell@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 2024-12: Amending General Provisions, Building Sewers & Connections, and Rates & Charges Related to the Sewer Service System (Public Hearing & Official Action)			
List Supporting Documentation Provided:			
1. Ordinance 2024-12			
2.			
3.			
4.			
Who will present the request?			
Name:	Joanna Tennell	Telephone:	(317) 736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.

ORDINANCE NO. 24-12
OF THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA

An Ordinance Amending the General Provisions, Building Sewers & Connections, and Rates & Charges Related to the Sewer Service System of the City of Franklin

WHEREAS, The City of Franklin through its Common Council legislates Ordinances pertaining to the health and general welfare of the citizens of the City of Franklin, including Ordinances related to the Sewer Service System.

WHEREAS, Ordinance No. 81-20, 89-19, 89-20, 93-4, 93-5, 93-14, 94-32, 95-23 and 24-04 all related to the Sewer Service System and have been codified into Section 13.04 of the Franklin Municipal Code:

WHEREAS, there is a need to clarify the language related to Section 13.04 to allow the city and its residents better application and understanding of the regulations;

WHEREAS, it is necessary for the City to establish a procedure to allow Class II – Unmetered Users to be reclassified as Metered Users (With a Six-Month Water Meter Reading).

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Franklin, Indiana that:

SECTION 1. Section 13.04.010 of the City of Franklin Municipal Code, shall be revised to add the following definitions:

“Metered User (New Residential User)” means a sanitary sewer customer having metered water service without the required six-month average water meter reading. At such time as the computation of the six-month average water meter reading can be made, this user is then reclassified as a Metered User (With a Six-Month Average Water Meter Reading) and subject to the provisions of this Chapter as such.

“Metered User (With a Six-Month Average Water Meter Reading)” means a sanitary sewer customer having metered water service with a six-month average water meter reading.

“Six-Month Average Water Meter Reading” means the average monthly water consumption as determined by the average monthly use for the full period of October 1st through March 31st immediately preceding the May 1st computation consistent with Article V. Rates and Charges of this Chapter.

“Unmetered user” means a sanitary sewer customer who does not receive water from a public water supply, but instead is supplied by a well or other method.

SECTION 2. Section 13.04.020(G) of the City of Franklin Municipal Code, shall be repealed and replaced to read as follows:

When a public sewer becomes available, the building sewer shall be connected to the sewer within sixty (60) days at building owner's cost, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

SECTION 3. Section 13.04.060 of the City of Franklin Municipal Code, shall be repealed and replaced to read as follows:

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is now located a public sanitary or combined sewer of the city, is required at his or her expense to install suitable toilet facilities therein, and to connect such facilities, at owner's cost, directly with the proper public sewer, in accordance with the provisions of this chapter, within sixty (60) days after date of official notice to do so, provided that such public sewer is within three hundred (300) feet of the property line.

SECTION 4. Section 13.04.150 of the City of Franklin Municipal Code, shall be repealed and replaced to read as follows:

Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the inspector, to meet all requirements of this chapter. A new connection permit is not required when connecting to the existing lateral, but is required if making a new connection or replacing an existing connection at the sewer main.

SECTION 5. Section 13.04.160 and 13.04.190 of the City of Franklin Municipal Code, shall be revised to replace references to "A.S.T.M and W.P.C.F. Manual of Practice No. 9" with "10 State Standards (latest edition)".

SECTION 6. Section 13.04.210 of the City of Franklin Municipal Code, shall be repealed and replaced to read as follows:

- A. Whenever it is necessary to cut any public street or thoroughfare, the public street or thoroughfare shall be restored to its original condition in accordance with Ordinance 2023-14 (or current street cut ordinance) at the expense of the applicant. In addition, the applicant cutting the street or thoroughfare shall deposit with the clerk-treasurer a surety bond or a cash bond in the sum of two thousand five hundred dollars (\$2,500.00) to guarantee the restoration of the surface of the street or thoroughfare to the satisfaction of the City Engineer. When repaired to the satisfaction of the City Engineer, the deposited sum shall be returned to the applicant, or if not so repaired the sum may be used to make any repair to the extent thereof, the balance, if any, to be returned to the applicant.
- B. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Maintenance of Traffic Plans shall be prepared by the permittee in accordance with the requirements of the Indiana Manual for Uniform Traffic Control Devices, latest edition. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city as required by Ordinance 2023-14 (or current street cut ordinance).

SECTION 7. Section 13.04.360(B) of the City of Franklin Municipal Code, shall be repealed and replaced to read as follows:

B. Class II Users

1. Metered Users (With a Six-Month Average Water Meter Reading). The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use, plus a base charge based on the size of the water meter installed, except as otherwise provided in this chapter. For the purposes of billing and collecting the charges for sewage service, annual residential rates shall be billed monthly (or a period equaling a month), based on the average monthly water consumption which is to be computed on May 1st of each year. The average monthly water consumption shall be determined by the average monthly use for the period of October 1st through March 31st immediately preceding the May 1st computation.
2. Metered Users (New Residential User). For new residential users that the required six-month average water meter readings are not available, the monthly charge shall be determined by using the rates and charges of Metered Users (With a Six-Month Average Water Meter Reading). For this calculation, a water usage of 6,300 gallons per month plus the base charge of a 5/8 to 3/4 inch water meter will be used. Sewage service bills shall be rendered once each month (or period equaling a month).
3. Unmetered Users. For residential users of the sewage works that are unmetered water users, the monthly charge shall be determined by using the rates and charges of Metered Users (With a Six-Month Average Water Meter Reading). For this calculation, a water usage of 5,000 gallons per month and the base charge of a 5/8 to 3/4 inch water meter will be used. Sewage service bills shall be rendered once each month (or period equaling a month).
 - a. An unmetered user may, if desired by user, purchase and have installed by a licensed plumber a private flow meter on the residential water supply for the residence. The flow meter shall be installed on the water supply line on the interior of the residence at the point in which it immediately enters the structure. The plumber shall submit to the City Engineer, for approval prior to installation, a description of the meter by manufacturer name and model number, and a report describing the size, location, and method of remote access following installation. Flow meters shall be of the type which allows for remote monitoring of total flow by the City on a monthly basis. Meters which do not have a capability of remote monitoring shall not be permitted. All maintenance, repair, and replacement of private flow meters, including cost thereof, shall be the responsibility of the owner. Owner's shall provide remote access, including software, to the DPW Billing Office; failure to provide access shall result in user status remaining as Unmetered User.

- b. Any unmetered user who elects to install a private flow meter will be reclassified and billed accordingly as a Metered User (With Six-Month Average Water Meter Reading) upon acceptance of the installation by the City and at such time as the computation of the six-month average water meter reading can be made.
- c. Self-monitoring and reporting shall not be allowed for Class II Users.

SECTION 8. Section 13.04.360(C) of the City of Franklin Municipal Code, shall be revised to replace “C. All Metered Water Users.” with “C. Class I: Metered Users and Class II: Metered Users (With a Six-Month Average Water Meter Reading).”

SECTION 9. Section 13.04.360(D) of the City of Franklin Municipal Code, shall be repealed and replaced to read as follows:

- D. Class I: Unmetered Users and Class II: Metered Users (New Residential Users) and Unmetered Users. The rates and charges for sewage works shall be as follows:
- 1. Class I: Unmetered Users of sewage works shall be charged a monthly fee to be determined by the city based on comparison with a similar enterprise with metered usage.
 - 2. Class II: Metered Users (New Residential Users) of sewage works shall be charged \$78.76 per month consistent with Section 13.04.360(B)(2).
 - 3. Class II: Unmetered Users of sewage works shall be charged \$64.78 per month consistent with Section 13.04.360(B)(3).

SECTION 10. The Council hereby authorizes and directs the appropriate officials and representatives of the City to take all necessary actions to implement this Ordinance once it is in full force and effect.

SECTION 11. All prior ordinance provisions in conflict herewith are repealed as of the effective date of this Ordinance.

SECTION 12. If any part of this Ordinance is held to be invalid, such part shall be deemed severable and its invalidity shall have no effect upon the remaining provisions of this Ordinance.

SECTION 13. This Ordinance shall be in full force and effect, until repealed or amended by Ordinance, after its passage and approval by the Mayor of the City of Franklin, Indiana, or as otherwise provided by I.C. 36-4-6-14.

Introduced and Filed on the 2nd day of December, 2024.

DULY PASSED this _____ day of _____, 2025, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of _____ in Favor and _____ Opposed.

City of Franklin, Indiana, by its Common Council

Voting Affirmative:

Voting Opposed:

Kenneth Austin, President

Kenneth Austin, President

Anne McGuinness, Member

Anne McGuinness, Member

Irene Nalley, Member

Irene Nalley, Member

Jennifer Price, Member

Jennifer Price, Member

Josh Prine, Member

Josh Prine, Member

Todd Shuck, Member

Todd Shuck, Member

Shawn Taylor, Member

Shawn Taylor, Member

Attest: _____
Jan Jones, City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16 this _____ day of _____, 2025 at _____ o'clock a.m./p.m.

Jan Jones
City Clerk-Treasurer

This ordinance, having been passed by the legislative body and presented to me, is:

_____ Approved by me and duly adopted pursuant to Indiana Code § 36-4-6-16(a)(1), or
_____ Vetoed by me pursuant to Indiana Code § 36-4-6-16(a)(2),

this _____ day of _____, 2025 at _____ o'clock a.m./p.m.

Steve Barnett
Mayor

Attest:

Jan Jones
City Clerk-Treasurer