

ORDINANCE NO. 20-01
OF THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA

AN ORDINANCE AMENDING THE RATES AND CHARGES FOR USE OF THE
SEWAGE WORKS OF THE CITY OF FRANKLIN

WHEREAS, the City of Franklin, Indiana (the "City") owns and operates sewage works serving the City and nearby areas (the "Sewage Works");

WHEREAS, the Common Council for the City of Franklin, Indiana (the "Council") is the governing board of the City's Sewage Works and as such is authorized by Indiana Code § 36-9-23-25 to set just and equitable fees as required to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient service, which fees must be sufficient to:

- (A) pay all expenses incidental to the operation of the Sewage Works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (B) provide the sinking fund required by Indiana Code § 36-9-23-21;
- (C) provide adequate money to be used as working capital; and
- (D) provide adequate money for improving and replacing the Sewage Works.

WHEREAS, the current schedule of rates and charges for use of the Sewage Works was set by the Council on January 26, 2004, under Ordinance Number 04-01, which schedule of rates and charges is incorporated into Section 13.04.360 of the Franklin Municipal Code;

WHEREAS, the Council has reviewed and considered the City of Franklin Wastewater Utility Rate Study prepared by Peters Municipal Consultants, LTD (the "Rate Study"), and has determined that the new rates and charges proposed in the Rate Study are necessary in order to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient service;

WHEREAS, the Council has determined that the rates and charges of the City's Sewage Works should be adjusted accordingly; and

WHEREAS, a public hearing on the proposed fees has been properly noticed and held;

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

SECTION 1. The Council finds that the rates and charges adopted by this Ordinance are just and equitable fees as required to maintain the Sewage Works in the sound physical and financial condition necessary to render adequate and efficient service, and as required to:

- (A) pay all expenses incidental to the operation of the Sewage Works, including legal expenses, maintenance costs, operating charges, repairs, lease rentals, and interest charges on bonds or other obligations;
- (B) provide the sinking fund required by Indiana Code § 36-9-23-21;

- (C) provide adequate money to be used as working capital; and
- (D) provide adequate money for improving and replacing the Sewage Works.

SECTION 2. Effective with the bills for the use of the Sewage Works to be first issued in May 2020 and due May 31, 2020, Section 13.04.360(C) and (D) of the City of Franklin Municipal Code, shall be revised to read as follows:

C. **All Metered Water Users.** Each metered user of the sewage works shall pay the following rates and charges:

- 1. The volume treatment rate shall be \$5.43 per one thousand (1,000) gallons of usage per month;

plus:

- 2. A base rate per month in accordance with the following schedule of meter sizes:

	Equivalency Factor	Total
5/8 —¾ inch water meter	1.0	\$ 5.57
1 inch water meter	2.6	\$14.26
1 ¼ inch water meter	4.0	\$22.28
1 ½ inch water meter	5.8	\$32.08
2 inch water meter	10.2	\$57.04
3 inch water meter	23.0	\$128.33
4 inch water meter	41.0	\$228.15
6 inch water meter	92.2	\$513.33
8 inch water meter	163.8	\$912.59

D. **Unmetered Water Users.** The rates and charges for unmetered water users of the sewage works shall be as follows:

- 1. Unmetered residential (single-family residence) users of the sewage works shall pay \$39.78 per month.
- 2. Unmetered water users of the sewage works other than residential single-family dwelling units shall be charged a monthly fee to be determined by the City based on comparison with a similar enterprise with metered usage.

SECTION 3. The Council hereby authorizes and directs the appropriate officials and representatives of the City to take all necessary actions to implement this Ordinance following final adoption.

SECTION 4. All prior ordinance provisions in conflict herewith are repealed as of the effective date of this Ordinance.

SECTION 5. This Ordinance shall be in full force and effect 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.

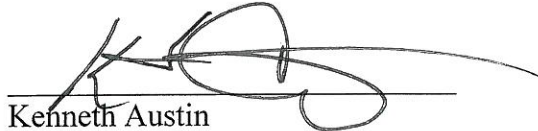
Introduced and Filed on the 3rd day of February, 2020

DULY PASSED this 2 day of March, 2020, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 6 in Favor and 0 Opposed.

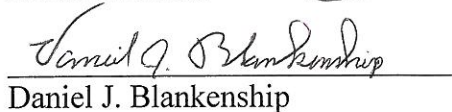
City of Franklin, Indiana, by its Common Council

Voting Affirmative:

Voting Opposed:


Kenneth Austin

Kenneth Austin


Daniel J. Blankenship

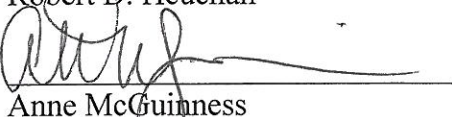
Daniel J. Blankenship

Andrew Eggers

Andrew Eggers


Robert D. Heuchan

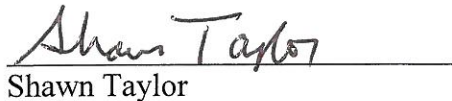
Robert D. Heuchan


Anne McGuinness

Anne McGuinness


Chris Rynerson

Chris Rynerson


Shawn Taylor


Shawn Taylor

Attest:



Jayne Rhoades, 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 2 day of March, 2020 at 6:15 o'clock a.m./p.m.



Jayne Rhoades
City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)] this 2 day of March, 2020 at 6:15 o'clock a.m./p.m.



Stephen Barnett
Mayor

Attest:



Jayne Rhoades
City Clerk-Treasurer

Prepared by: Stephen K. Watson, Attorney