

ORDINANCE NO. 2025-01_____

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2024-2
TO READJUST THE MONTHLY USER FEES**

WHEREAS, I.c. § 13-26 outlines the process whereby the Romney Regional Sewer District (the "District") may determine rates and charges and specifically provides that the Board of Trustees of the District (the "Board") shall, by ordinance, establish just and equitable fees for the service rendered by the District that will produce sufficient revenues to (i) pay all the legal and necessary expenses incident to the operation of such sewer system, including maintenance costs, operating costs, operating charges, upkeep, repairs, and interest charges on bonds and other obligations of the sewer system; (ii) provide a sinking fund for liquidation of bonds or other evidence of indebtedness and reserves against default in the payment of interest and principal of bonds; and (iii) provide adequate funds to be used as working capital, as well as money for making improvements, additions, extensions, and replacements;

WHEREAS, the Board established the wastewater user fees it charges its users in Ordinance No. 2018-2;

WHEREAS, on or about January 11, 2024, Therber, Brock & Associates, LLP, Municipal Finance Consultants, authored and provided its rate study (the "Rate Study") to the Board;

WHEREAS, I.c. § 13-26-1 1-8(b), permits the Board to "periodically change and readjust the rates or charges" that it assesses to its customers;

WHEREAS, the Board finds that the rates and charges set forth and incorporated herein by reference as Exhibit A are reasonable and just and are based upon the cost of providing service to the property owners ("Customers") connected to the District's sewer system; and

WHEREAS, the Board, based upon the findings in the Rate Study and consistent with I.c. § 13-26-11 et seq., has determined that it is necessary to change and readjust the wastewater user fees it charges its users.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE ROMNEY REGIONAL SEWER DISTRICT that Ordinance No. 2024-1 is amended to read as follows:

1. Rates and Charges. The schedule of rates and charges attached to this Ordinance as Exhibit A and incorporated herein by reference are hereby approved and supplant and replace the schedule of rates and charges adopted under Ordinance No. 2024-1.

2. Conflict with Other Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

3. Conflict of Law. In the event any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect.

4. Full Force and Effect. This Ordinance shall be in full force and effect from and after its passage and execution by the Board.

PASSED Ay ADOPTED, by the Board of Trustees of the Romney Regional Sewer District on the day of December 2024.

BOARD OF TRUSTEES OF THE ROMNEY
REGIONAL SEWER DISTRICT

ROMNEY REGIONAL SEWER DISTRICT EXHIBIT A TO SEWER RATE
ORDINANCE SCHEDULE OF RATES AND CHARGES

1. RECURRING RATES AND CHARGES

A. Full Un-Metered Rates — To be billed upon the availability of sanitary sewer service. All residential and commercial Customers are assumed to be discharging at a rate equivalent to one Equivalent Domestic Unit ("EDU"). If the District determines that any current or future Customer of the District is discharging at a level greater than one EDU the District will determine the multiple of one EDU that that Customer is discharging into the system and bill that Customer the multiple rate.

Monthly Fee per EDU **\$ 99.75**

B. Plat Fee — any platted undeveloped lot within the District boundaries shall be billed a monthly Plat Fee when sanitary sewer service becomes available.

Monthly Plat Fee **\$ 0.00**

C. Excessive Strength Discharges — No prohibited discharges will be allowed into the sanitary sewer system. Prohibited discharges are defined in the Sewer Use Ordinance. A copy of which is available in the utility office and at Board meetings. Excessive strength discharges will be billed to the Customer causing such discharges as a recurring, special service at the following rates:

Biochemical Oxygen Demand in excess of 250 mg/L \$ 0.256 per lb

Suspended Solids in excess of 250 mg/L \$ 0.180 per lb

Total Phosphorus in excess of 10 mg/L \$ 0.110 per lb

Ammonia in excess of 10 mg/L

\$ 0.256 per lb

11. NON-RECURRING RATES AND CHARGES

A. Connection Charges

Initial User \$ 0.00

New-Residential, Commercial, \$ Actual cost of connection³ Industrial, and Ready-to-Serve User but not less than \$5,000 or charges accrued in the amortization schedule⁷

IN ADDITION, the actual cost of connection including all costs of equipment, material, supplies and labor required for the connection, including, if necessary, but not limited to: STEP tank, pipe, etc. Charges will be collected in advance of delivery of materials. Signed utility easement must be provided prior to delivery of materials.

Reconnection Fee \$ TBD*^{_____}

- B. Deposit — Any Customer who is late on a sewer payment more than twice in a twelve-month period, or tenders a check for payment of a sewer bill that is returned by the bank, or that has had a sewer lien filed shall be required to make a sewer deposit in the amount of \$ 99.75. This deposit will be refunded one year after its receipt if the Customer has paid all of his or her monthly sewer utility charges on time.
- C. Returned Check Fees — Customers who issue a check that is returned shall incur penalties per applicable bank charge, and as described in the Uniform Utility Billing Procedure, but not less than \$ 30.00.
- D. Late Payment Charges — Customers who do not pay their bill on or before the close of business of the due date shall incur a ten percent (10%) penalty as described in the Uniform Utility Billing Procedure. Penalties, rates, fees, and charges made, assessed, or established by the District, as a lien shall attach against the real estate on the property owners who are delinquent in payment of sewer bills, will be recorded, and are subject to additional interest and reasonable attorney fees. The rates, fees, or charges shall be collected, enforced, and, if necessary, the liens will be foreclosed upon as outlined by the District's Uniform Billing Procedure, and pursuant to Indiana law.
- E. Prohibited Discharges — No entity will discharge prohibited substances into the sanitary sewer system. Prohibited discharges are defined in the Sewer Use

An Initial User is a user that connects to the system within 90 days of sanitary sewer service becoming available AND who pays the full monthly service rate (to be billed when sanitary service is available and is not in arrears with payment of the interim service charge billing) AND who has executed and returned a signed utility easement.

Ordinance. Entities discharging prohibited substances into the sanitary sewer system will be issued a special service bill for the fee detailed below for each month that they make a prohibited discharge AND will be assessed a fee equal to the cost of any additional cost, expense or expenditure caused to the utility by the prohibited discharge.

Customer of the Utility	\$ <u> </u>
	262.500

Non-Customer of the Utility	\$ <u>1</u>
	575.00

F. Building Sewer Permits — All persons proposing to connect, open, alter, or otherwise disturb the District's Sewer System, shall be required to make an application for a building sewer permit and shall pay a permit and inspection fee as follows:

Initial User	\$ 0.00
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G. New Residential, Ready-to-Serve, and Commercial Users	\$ 150.00
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Industrial Waste Producers	<u> </u>
	\$250.00

Inspection Fees — As described in the Sewer Use Ordinance, a fee shall be assessed to cover the cost of reviewing plans and specifications of any proposed

District Sewer Extension as follows:	\$ 150.00
Re-Inspection Fee:	\$ 50.00

H. Major Contributors — The fees and charges for Major Contributors as defined in the Sewer Use Ordinance are as follows:

Permit application	\$ 1575.00
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The District's Surveillance Survey Charge	<u>\$ 250.00</u>
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billing procedures and payment policies can be found in its Uniform Utility Billing Procedure, which is available at the District office upon request.

*Fees will be set in a supplemental rate ordinance at a later date once the Board has been provided with information to determine the appropriate amount for the respective fees.