

**ORDINANCE NO. 2020-1-1**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATON, INDIANA  
AMENDING ORDINANCE No. 2012-9-13 REGARDING THE RATES AND CHARGES  
ASSESSED TO USERS OF THE TOWN WATERWORKS UTILITY**

WHEREAS, the Town of Eaton, Indiana (the “Town”) has constructed, and operates, a municipal waterworks utility for the purpose of providing drinking water to users of the waterworks utility in a sanitary manner; and

WHEREAS, the Town has opted out of the jurisdiction of the Indiana Utility Regulatory Commission, which had previously controlled the rates and charges assessed to users of the Town’s waterworks utility; and

WHEREAS, the Town Council for the Town of Eaton, Indiana (the “Town Council”) previously adopted Ordinance No. 2012-9-13, which established the rates and charges assessed to users of the Town’s waterworks utility; and

WHEREAS, the Town Council has determined that it is now necessary to amend Ordinance No. 2012-9-13 to properly classify users of the waterworks utility according to consumption to ensure that rates and charges assessed to users for services rendered are nondiscriminatory, reasonable, and just while also producing sufficient revenue to pay expenses incident to the operation of the Town’s waterworks utility.

NOW THEREFORE, BE IT RESOLVED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATON, INDIANA:

**Section 1.** Ordinance No. 2012-9-13 shall be amended by replacing subsection (a) of Section 1 with the following:

**“(a) Monthly Metered Flow Rate (per 1,000 gallons):**

| <u>Gallons Per Month</u> | <u>Effective<br/>3/1/2020</u> | <u>Effective<br/>1/1/2021</u> | <u>Effective<br/>1/1/2022</u> | <u>Effective<br/>1/1/2023</u> |
|--------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| First 2,500 gallons      | \$ 7.71                       | \$ 8.98                       | \$ 10.46                      | \$ 12.18                      |
| Next 5,000 gallons       | \$ 5.57                       | \$ 6.49                       | \$ 7.56                       | \$ 8.80                       |
| Next 20,000 gallons      | \$ 3.52                       | \$ 4.10                       | \$ 4.78                       | \$ 5.56                       |
| Over 27,500 gallons      | \$ 2.14                       | \$ 2.49                       | \$ 2.90                       | \$ 3.38”                      |

**Section 2.** Ordinance No. 2012-9-13 shall be amended by replacing subsection (b) of Section 1 with the following:

**“(b) Minimum Charge (per month):**

All metered general water service customers shall pay a monthly Customer Charge based on the size of meter installed (or multiple meters installed—in which case, charges are based on the total of all installed meters). Monthly Customer Charges are listed below and do not include any allowance for water usage.

Charges Per Month

| <u>Minimum Charge Per Month</u> |            | <u>Gallons Allowed</u> | <u>Effective 3/1/2020</u> | <u>Effective 1/1/2021</u> | <u>Effective 1/1/2022</u> | <u>Effective 1/1/2023</u> |
|---------------------------------|------------|------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| 5/8                             | Inch Meter | 2,500                  | \$ 19.28                  | \$ 22.45                  | \$ 26.15                  | \$ 30.45                  |
| 3/4                             | Inch Meter | 4,950                  | \$ 32.92                  | \$ 38.35                  | \$ 44.67                  | \$ 52.01                  |
| 1                               | Inch Meter | 7,060                  | \$ 44.67                  | \$ 52.04                  | \$ 60.62                  | \$ 70.58                  |
| 1 1/2                           | Inch Meter | 8,815                  | \$ 51.75                  | \$ 60.29                  | \$ 70.24                  | \$ 81.76                  |
| 2                               | Inch Meter | 17,795                 | \$ 83.36                  | \$ 97.11                  | \$ 113.16                 | \$ 131.69                 |
| 3                               | Inch Meter | 55,240                 | \$ 176.89                 | \$ 205.97                 | \$ 240.00                 | \$ 279.41                 |
| 4                               | Inch Meter | 111,750                | \$ 297.82                 | \$ 346.68                 | \$ 403.88                 | \$ 470.42”                |

**Section 3.** Ordinance No. 2012-9-13 shall be amended by replacing subsection (e) of Section 1 with the following:

“(e) **Fire Protection Service** (fees per year):

| <u>Fire Protection Per Annum</u> | <u>Effective 3/1/2020</u> | <u>Effective 1/1/2021</u> | <u>Effective 1/1/2022</u> | <u>Effective 1/1/2023</u> |
|----------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Municipal Hydrant Fee            | \$ 68,155.00              | \$ 79,405.00              | \$ 92,510.00              | \$ 107,685.00             |
| Private Fire Hydrant             | \$ 140.00                 | \$ 164.00                 | \$ 192.00                 | \$ 224.00                 |
| Automatic Sprinkler              | \$ 140.00                 | \$ 164.00                 | \$ 192.00                 | \$ 224.00”                |

**Section 4.** Ordinance No. 2012-9-13 shall be amended by inserting the following after subsection (j) of Section 1 of said Ordinance:

“(k) **User Classifications**

Users of the waterworks utility with an average monthly consumption of 1,000,000 gallons or greater and a meter size of 1 inch or greater shall be classified as a **BULK USER**. All other users of the waterworks utility shall be classified as a **STANDARD USER**. The rates and charges assessed to both Bulk Users and Standard Users shall be determined according to the rate schedules established in Subsections (a) and (b) herein.”

**Section 5.** All existing ordinances shall not be affected by the adoption of this Ordinance except where such existing ordinances or any parts thereof are in conflict herewith, in which case, such conflicting ordinance or parts thereof are hereby repealed.

**Section 6.** The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as may be required by law.

*DULY PASSED AND ADOPTED* by the Town Council of the Town of Eaton, Indiana on this, the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Daniel Blankenship, Council Member

\_\_\_\_\_  
Dustin Reese, Council Member

\_\_\_\_\_  
Teresa Welsh, Council Member

\_\_\_\_\_  
Clay McDaniel, Council Member

\_\_\_\_\_  
Roger Wells, Council Member

*ATTEST:*

\_\_\_\_\_  
Bridgett DeWees, Clerk-Treasurer  
Town of Eaton, Indiana