ORDINANCE 1587

AN ORDINANCE AMENDING ORDINANCE 1576, THE RATES FOR SEWAGE SERVICE TO THE CUSTOMERS OF BLUFFTON UTILITIES SEWAGE DEPARTMENT

WHEREAS, the Common Council ("Council") of the City of Bluffton ("City") has authority under the Acts of the Indiana General Assembly to make all necessary regulations for the preservation of the rights, property, health, safety and welfare of its citizens and the Council finds that the interests of the citizens of the City would be best served by amending the rules and rates for the service of sewage removal and treatment to the customers of the Bluffton Utilities Sewage Department; and

WHEREAS, the City bills users outside the City a different rate than those inside the City; and

WHEREAS, the proposed rate changes will result in a differential between Outside City rates and Inside City rates of approximately 14.9%; and

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLUFFTON, INDIANA AS FOLLOWS:

Section 5: Title 13, Chapter 12, Section 095 of the Code of Ordinances of Bluffton, Indiana as it has heretofore read is hereby repealed and replaced in its entirety and shall henceforth read as set forth in "**Exhibit A**" attached hereto and be enforced as an ordinance of the City of Bluffton, Indiana.

Section 1: Title 13, Chapter 12, Section 100 of the Code of Ordinances of Bluffton, Indiana as it has heretofore read is hereby repealed and replaced in its entirety and shall henceforth read as set forth in "**Exhibit B**" attached hereto and be enforced as an ordinance of the City of Bluffton, Indiana.

Section 2: Title 13, Chapter 12, Section 105 of the Code of Ordinances of Bluffton, Indiana as it has heretofore read is hereby repealed and replaced in its entirety and shall henceforth read as set forth in "**Exhibit C**" attached hereto and be enforced as an ordinance of the City of Bluffton, Indiana.

Section 3: Title 13, Chapter 12, Section 120 of the Code of Ordinances of Bluffton, Indiana as it has heretofore read is hereby repealed and replaced in its entirety and shall henceforth read as set forth in "**Exhibit D**" attached hereto and be enforced as an ordinance of the City of Bluffton, Indiana.

Section 4: Title 13, Chapter 12, Section 133 is added to the Code of Ordinances of Bluffton, Indiana and shall henceforth read as set forth in "**Exhibit E**" attached hereto and be enforced as an ordinance of the City of Bluffton, Indiana.

Section 5: Title 13, Chapter 12, Section 136 is added to the Code of Ordinances of Bluffton, Indiana and shall henceforth read as set forth in "**Exhibit F**" attached hereto and be enforced as an ordinance of the City of Bluffton, Indiana

Section 6: This Ordinance shall take effect and be in force upon adoption and publication as required by law.

Adopted by the Common Council of the City of Bluffton, Indiana, 16th day of May, 2023, by the following vote:

AYES 4, to-wit:	NAYS ___, to-wit:	ABSENT 1, to-wit:
		Janella Stronczek

Mayor John S. Whicker, Presiding Officer

ATTEST:
Tamara D Runyon
Tamara D. Runyon, IAMC, MMC, CPFA
City Clerk-Treasurer

Presented by me to the Mayor of the City of Bluffton, Indiana, at 7:20 o'clock p.m. 16th day of May, 2023.

Tamara D Runyon
Tamara D. Runyon, IAMC, MMC, CPFA
City Clerk-Treasurer

Approved by me this 16th day of May 2023.

Mayor John S. Whicker

EXHIBIT 'A'

Chapter 13.12

13.12.095 Rates and Charges for wells County Regional Sewer District
Per the rate study dated April 21, 2023

WCRSD Service Charge (per month)	$1,380
Less: Monthly service charge credit from 2023 SRF financing	(1,180)
Net WCRSD Service Charge (per month)	$200
WCRSD Treatment Rate (per CCF)	$7.27*(1)

* Equal to $9.72 per 1,000 gallons

(1) There will be applied to the monthly bill a monthly treatment rate credit from the 2023 SRF financing equal to $15,766.

The 2023 SRF financing credit to be applied to WCRSD bills from June 2023 through May 2051 as follows:

Monthly Service Charge Credit From 2023 SRF Financing	$1,180
Monthly Treatment Rate Credit From 2023 SRF Financing	$15,766
Total Monthly Credit From 2023 SRF Financing	$16,946

For any monthly bill where the total is less than $16,946 the monthly invoice will be $0. The credit not used in said month will not carry over to future months.

EXHIBIT 'B'

13.12.100 Sewage Rates – Inside City Users

For the use of and the service rendered by the City's Sewage Works, sewer charges shall be collected from the owners of each and every lot, parcel of real estate or building that is or could be connected to the City's sewerage systems or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sewage system of the City, which sewer charges shall be payable as hereinafter provided and shall be in an amount determinable as follows: *Per study dated April 21, 2023.*

Metered Water Consumption per month	Monthly Sewer Charge per 100 cubic feet	
	Phase I	Phase II
First 300 cubic feet	$9.60	$12.01
Over 300 cubic feet	8.84	11.06

The minimum monthly charge for any metered water customer user shall be:

Monthly Minimum Allowed Sewer Charges	
Phase I	Phase II
$28.79	$36.03

The minimum monthly charge for any residential user who is not a metered water customer shall be:

Monthly Minimum Allowed Sewer Charges	
Phase I	Phase II
$73.57	$92.07

The minimum monthly sewer charge for any commercial or industrial user who is not a customer of the City's water utility shall be determined in accordance with the following:

Estimated Cubic Feet per Month	Monthly Sewer Charges	
	Phase I	Phase II
910	$82.72	$103.50
955	86.70	108.47
1,084	98.11	122.74
1,472	132.40	165.65
1,602	143.90	180.03
1,740	156.10	195.29
1,860	166.70	208.57
2,295	205.16	256.68
3,600	320.52	401.01
7,336	650.78	814.21
8,257	732.20	916.07
24,429	2,161.80	2,704.70

Phase I effective upon adoption. Phase II effective with December 2023 billings.

EXHIBIT 'C'

13.12.105 Sewage Rates and Fees for Customers Outside the City*

For the use of and the service rendered by the Sewage Works, sewer charges shall be collected from the owners of each and every lot, parcel of real estate or building located outside the City that is or could be connected to the sewer system or otherwise discharges sanitary sewage, industrial wastes, water of other liquids, either directly or indirectly, into the sewer system, which sewer charges shall be payable as hereinafter provided and shall be in an amount determined as follows: *Per study dated April 21, 2023.*

Metered Water Consumption per month	Monthly Sewer Charge per 100 cubic feet	
	Phase I	Phase II
First 300 cubic feet	$11.03	$13.80
Over 300 cubic feet	10.16	12.71

The minimum monthly charge for any metered water customer shall be:

Monthly Minimum Allowed Sewer Charges	
Phase I	Phase II
$33.08	$41.40

The minimum monthly charge for any residential user who is not a metered water customer shall be:

Monthly Minimum Allowed Sewer Charges	
Phase I	Phase II
$84.53	$105.79

The minimum monthly sewer charge for any commercial or industrial user who is not a customer of the City's water utility shall be determined in accordance with the following:

Estimated Cubic Feet per Month	Monthly Sewer Charges	
	Phase I	Phase II
910	$95.07	$118.93
955	99.64	124.65
1,084	112.74	141.05
1,472	152.17	190.36
1,602	165.37	206.88
1,740	179.39	224.42
1,860	191.59	239.68
2,295	235.78	294.96
3,600	368.37	460.83
7,336	747.95	935.68
8,257	841.52	1,052.73
24,429	2,484.60	3,108.20

*(Outside corporate city boundaries rates and charges are approximately 14.9% higher than the rates and charges for customers inside corporate city boundaries.)

Phase I effective upon adoption. Phase II effective with December 2023 billings.

EXHIBIT 'D'

13.12.120 Strength-of-Waste Surcharge

A. Each industrial or non-industrial user who discharges wastes into the sewage system shall be subject to a surcharge, in addition to the regular sewer charges, based on both the biochemical oxygen demand (or on the chemical oxygen demand where BOD cannot be determined) and the suspended solids content of the wastes, if these wastes have a concentration greater than the following:

1. A biochemical oxygen demand of 200 milligrams per liter; or where BOD cannot be determined, then in lieu of BOD, a chemical oxygen of 400 milligrams per liter;
2. A total suspended solids content of 200 milligrams per liter;
3. A phosphate content of 12 milligrams per liter; or
4. An ammonia-nitrogen content of 15 milligrams per liter;

B. The surcharge shall be determined as follows:

1. The excess pounds of BOD or (COD) and of suspended solids will each be computed by first multiplying the customer's billing sewage volume measured in units of 100 cubic feet for the current billing period by the factor 0.0062321 and then multiplying this product by the difference between:
   a. The concentrations measured in milligrams per liter of the BOD (or COD) and of the suspended solids respectively in the customer's sewage; and
   b. The allowed concentrations set out in Section 13.120 (A). The surcharge for each constituent will then be determined by multiplying the excess pounds of each constituent by the appropriate rate of surcharge set out in paragraph C.

C. The rate of surcharge for each of the aftermentioned constituents shall be as follows:

		Phase I	Phase II
1.	Biochemical oxygen demand (BOD) - per pound	$0.28	$0.35
2.	Chemical oxygen demand (COD) where BOD cannot be determined – per pound	$0.28	$0.35
3.	Total Suspended solids – per pound	$0.43	$0.54
4.	Phosphates – per pound	$1.72	$2.15
5.	Ammonia-nitrogen – per pound	$1.30	$1.63

Phase I effective upon adoption. Phase II effective with December 2023 billings.

EXHIBIT 'E'

13.12.133 System Development Charges

Connections to the City of Bluffton's sewer facilities must pay a System Development Charge as follows:

			Calculation
In City Connections (1):	$1,155.47	per EDU	(Σ E / Σ C)
Outside of the City Connections (1):	$1,327.64	per EDU	(Σ E / Σ C) * 1.149

(1) Methodology as proposed by City Board of Public Works and detailed below:

Equivalent Connections

Meter Size	Number of Connections at 11/23/2020	Equivalency Factor (2)	Equivalent Connections (A x B)	Direct Cost/EDU (I / B)	Equivalent Total Cost (C x D)
	(A)	**(B)**	**(C)**	**(D)**	**(E)**
5/8"	3,725	1.00	3,725.00	$1,181.49	$4,401,050.25
3/4"	37	1.40	51.80	1,164.65	60,328.87
1"	131	2.50	327.50	1,146.12	375,354.30
1 1/2"	40	5.80	232.00	1,132.70	262,786.40
2"	79	10.00	790.00	1,128.44	891,467.60
3"	14	23.00	322.00	1,125.10	362,282.20
4"	25	40.00	1,000.00	1,124.01	1,124,010.00
6"	9	91.00	819.00	1,123.19	919,892.61
Totals	4,060		7,267.30		8,397,172.23

Net Equity

Meter Size	Equity (3) x B	Direct Labor (4)	Direct Cost (F + G)
	(F)	**(G)**	**(I)**
5/8"	$1,122.54	$58.95	$1,181.49
3/4"	1,571.56	58.95	1,630.51
1"	2,806.35	58.95	2,865.30
1 1/2"	6,510.73	58.95	6,569.68
2"	11,225.40	58.95	11,284.35
3"	25,818.42	58.95	25,877.37
4"	44,901.60	58.95	44,960.55
6"	102,151.14	58.95	102,210.09

(2) Based on diameter of line calculation:

Area = radius^2 x $\prod$
Area for 5/8" meter = 0.31

(3) Equity calculated based on the below per information presented in the April 2023 Financial Management Report

Capital Assets	$21,972,048
Construction work in progress	9,547,605
Land	573,561
Less: accumulated depreciation	(10,934,265)
Subtotal	27,537,849
Less: outstanding bonds and note principal balances	(19,380,000)
Net equity in sewer utility assets	8,157,849
Divided by: Equivalent connections	7,267
System Development Charge	$1,122.54

(4) Calculated based on wages of $29.47 per hour X 2 labor hours

EXHIBIT 'F'

13.12.136 Surveillance/Evaluation charge inside and outside City

All users discharging wastes into the system that require continuing surveillance sampling and waste evaluation, shall be subject to the following fixed charges to cover the costs of such services.

Monthly Evaluation

Type	Unit of Measure	Phase I	Phase II
Type 1 Evaluation	Per discharge point per month	$192.52	$240.94
Type 2 Evaluation	Per discharge point per month	$264.27	$330.73
Type 3 Evaluation	Per discharge point per month	$333.52	$417.40

Bulk Waste Charges

A. Bulk Industrial Waste Charge

All industrial waste suitable for disposal which has been delivered by an approved waste hauler to the City's plant. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

Type	Unit of Measure	Phase I	Phase II
Discharge	1,000 gallons	$165.82	$207.52
Billing Charge	Per bill	$7.45	$9.32

B. Domestic

All domestic waste delivered to the City's plant by customer's truck or tank. For purposes of computing charges hereunder, a **LOAD** is defined as 1,000 gallons of tank capacity or any fraction thereof.

Type	Unit of Measure	Phase I	Phase II
Discharge	1,000 gallons	$165.82	$207.52
Billing Charge	Per bill	$5.57	$9.32

Phase I effective upon adoption. Phase II effective with December 2023 billings.