

Ordinance No. 2009-03

AN ORDINANCE AMENDING RATES AND CHARGES
FOR THE USE OF THE WATER SYSTEM
AND RELATED SERVICES OF THE TOWN OF WOLCOTT

WHEREAS, Indiana Code Section 8-1.5-3-8 requires that the Town of Wolcott, on behalf of its utility, establish rates and charges which will produce an income sufficient to maintain the utility property in sound physical and financial condition to render adequate and efficient service; and

WHEREAS, said Code section requires that rates and charges shall be collected from the owners of each and every lot, parcel of real estate or building that is connected with the Town water system. Such rates and charges shall produce sufficient revenue to: (1) pay all the legal and other necessary expenses incident to the operation of the utility, including: (A) maintenance costs; (B) operating charges; (C) upkeep; (D) repairs; (E) depreciation; and (F) interest charges on bonds or other obligations, including leases; (2) provide a sinking fund for liquidation of bonds or other obligations, including leases; (3) provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the municipality, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals; (4) provide adequate money for working capital; (5) provide adequate money for making extensions and replacements to the extent not provided for through depreciation in subdivision (1); and (6) provide money for the payment of any taxes that may be assessed against the utility.

WHEREAS, the Town Council of the Town of Wolcott ("Town") has previously adopted Ordinance No. 2005-01, (collectively, "Ordinance") establishing the water rates and charges for the use and services rendered by the water works of the Town; and,

WHEREAS, the Town Council finds that the rates and charges established by the Ordinance are insufficient to enable the Town to properly operate its water works plant, service its bonds and finance additions and improvements to its water works system; and

WHEREAS, the Town Council has caused a rate study to be completed by the firm of Therber & Brock, Indianapolis, Indiana, and based upon such rate study, the Town Council of the Town finds that certain rates and charges contained in the Ordinance should be increased;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WOLCOTT, INDIANA:

Section 1. The rates established in Exhibit A of the Ordinance are hereby amended by an increase of 25.59% in three phrases, respectively, effective: A) January 1, 2010 (Exhibit A) – 11.59% increase, June 1, 2010 (Exhibit B) – 6.55%, and January 1, 2011 (Exhibit C) – 5.57% and restated as follows:

(See attached hereto and made a part hereof)

Section 2. All other provision of all other rates and charges established by the Ordinance shall remain in full force and effect.

Section 3. This ordinance shall be in full force and effect on January 1, 2010.

Passed and adopted by the Town Council of the Town of Wolcott, Indiana on the 17th day of November, 2009.

COUNCIL OF TOWN OF WOLCOTT

Aye

Nay

/s/ Marsha L. Mackey
Marsha L. Mackey, Council President

Marsha L. Mackey, Council President

/s/ Jon H. Evans
Jon H. Evans, Council Vice President

Jon H. Evans, Council Vice President

/s/ Richard A. Lynn
Richard A. Lynn, Council Member

Richard A. Lynn, Council Member

Jerry Pinkerton, Council Member

Jerry Pinkerton, Council Member

/s/ Fred A. Young
Fred A. Young, Council Member

Fred A. Young, Council Member

ATTEST:

/s/ Linda S. Bajzatt
Linda S. Bajzatt, Clerk-Treasurer