2009022923 ORDINANCE $30.00
04/21/2009 11:55:30A 10 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 09-04

AN ORDINANCE OF THE CITY OF WESTFIELD AMENDING THE "WATER SERVICE RULES AND REGULATIONS" OF THE WESTFIELD DEPARTMENT OF PUBLIC WORKS

WHEREAS, the City of Westfield, Indiana (the "City") is governed by the City Council (the "Council): and

WHEREAS, the City owns and operates a water utility through its Department of Public Works (the "Department"): and

WHEREAS, the Council adopted rates and charges for water service pursuant to Ordinance 06-28 enacted on September 14, 2006; and

WHEREAS, the Council has the authority to amend ordinances and to establish and adjust rates and charges for water utility service, and

WHEREAS, the City requested its financial adviser to examine the rates and charges set forth in Exhibit "A1" (Exhibit "A1") of the Water Service Rules and Regulations with respect to cost of service for providing water utility service to the City's customers: and

WHEREAS, as a result of the examination by the City's financial advisers, the Council has determined that it is in the best interest of the City to have the City's rates and charges increased to fully recover the costs of serving its customers: and

WHEREAS, as a result of the examination by the city's financial adviser, the Council has determined that it is in the best interests of the City to increase certain non-recurring charges, including reconnection fees, return check fees (previously called bad check and insufficient funds fee), administration account charge fee, lawn irrigation permit fee, after hours turn on/turn off fee, and after hours service call fee; and

WHEREAS, the City has consulted with its financial adviser and finds that the changes contemplated hereby are reasonable, non-discriminatory and just; and

WHEREAS, the Council desires to amend Exhibit "A1" consistent with the determinations of the examination of its financial adviser; and

WHEREAS, Attachment 1 to this Ordinance incorporates the changes to Exhibit "A1" recommended by the City's financial adviser; and

WHEREAS, the Council has been advised that the proper notice has been given as required and a hearing on changes to the non-recurring costs has been conducted by the Council; and

NOW, THEREFORE, BE IT ORDAINED, by this City Council of the City of Westfield, Indiana, meeting in regular session, that:

Section 1. The Water Services Rules and Regulations, as adopted by Ordinance 03-21 and as amended by Ordinance 05-26 and Ordinance 06-28, are hereby amended by deleting Exhibit "A1" from the Water Service rules and regulations and by substituting Attachment 1 hereto as a new Exhibit "A1."

Section 2. The actions of the City and Department staff working under the provisions of this Ordinance are to be deemed in accordance with City policy.

Section 3. Any current City or Department policy in effect contrary to the provisions of this Ordinance shall be deemed void. Any portion of this Ordinance that may later be deemed invalid shall not affect the remaining provisions.

Section 4. This Ordinance shall become effective upon its adoption and proper publication in accordance with Indiana law; provided, however, that the rates adopted on Exhibit "A1" shall be effective for bills rendered after April 20, 2009. All ordinances or parts thereof in conflict herewith are hereby ordered repealed, except as set forth herein.

ADOPTED AND PASSED this 13 day of April, 2009, by the Westfield City Council, Hamilton County.

WESTFIELD CITY COUNCIL

Voting For	Voting Against	Abstain
John Dippel	John Dippel	John Dippel
Bob Horkay	Bob Horkay	Bob Horkay
Ken Kingshill	Ken Kingshill	Ken Kingshill
Bob Smith	Bob Smith	Bob Smith
Thomas Smith	Thomas Smith	Thomas Smith
Rob Stokes	Rob Stokes	Rob Stokes
Steven Hoover	Steven Hoover	Steven Hoover

ATTEST:

Clerk-Treasurer

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law."

Signed

This ordinance prepared by
Steven M. Sherman, Attorney at Law
KRIEG DEVAULT, LLP
One Indiana Square
Indianapolis, Indiana
317-238-6233

I hereby certify that ORDINANCE 09-04 was delivered to the Mayor of Westfield on the 13 day of April, 2009, at 9:45p m.

Cindy Gossard

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 09-04 this 14 day of April, 2009.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 09-04 this _____ day of _____, 2009.

J. Andrew Cook, Mayor

Exhibit "A1"
City of Westfield
Water Service Rates and Charges

Section A. North Service Area. For those areas served by Westfield located inside Westfield's corporate limits and identified on the attached service area map as "Westfield-North," the rates and charges will be as follows:

Section A.1 Metered Rates.

	(2000 gallons)
Monthly Minimum Charge 5/8", ¾" and 1,"	$8.76

Monthly Usage	Per 1,000 Gallons
First 3,000 gallons	$4.38
Next 2,000 gallons	$3.39
First 20,000 gallons	$2.85
All over 25,000 gallons	$2.47

Section A.2 Hydrant Service Fees.

Private Hydrant Service Fee per year	$790.32

Public Fire Protection Service Fee per month

Effective for Bills Rendered after the Dates Below		
1/1/2009	1/1/2010	1/1/2011
$1.41	$1.88	$2.36

Section A.3 Sprinkler Systems-Annual Service Fee.

Monthly Usage	Annual Service Fee
2 inches	$157.59
3 inches	$316.37
4 inches	$473.96
6 inches	$790.32
8 inches	$1,423.04
10 inches	$2,835.59

Exhibit "A1" Continued

Section B. South Service Area. For those areas served by Westfield located inside Westfield's corporate limits and identified on the attached service area map as Westfield-South," the rates and charges shall be as follows:

Section B.1 Metered Rates

Residential Monthly Minimum

	Effective for Bills Rendered after the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
Gallons	2,393	2,184	2,000
Charge	$8.76	$8.76	$8.76

Commercial Monthly Minimum

	Effective for Bills Rendered after the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
Gallons	5,000	5,000	5,000
Charge	$17.10	$18.45	$19.92

Monthly Usage Per 1,000 Gallons

	Effective for Bills Rendered after the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
First 3,000 gallons	$ 3.66	$ 4.01	$ 4.38
Next 2,000 gallons	$ 3.06	$ 3.21	$ 3.39
Next 5,000 gallons	$ 2.57	$ 2.70	$ 2.85
Next 15,000 gallons	$ 2.40	$ 2.62	$ 2.85
Next 25,000 gallons	$ 2.00	$ 2.23	$ 2.47

Section B.2 Hydrant Service Fees.

Private Hydrant Service Fee Per Year -

Effective for Bills Rendered after the Dates Below		
1/1/2009	1/1/2010	1/1/2011
$559.47	$694.90	$790.32

Public Fire Protection Service Fee Per Month -

Effective for Bills Rendered after the Dates Below		
1/1/2009	1/1/2010	1/1/2011
$1.41	$1.88	$2.36

Exhibit "A1" Continued

Section B.3 Sprinkler Systems-Annual Service Fee.

	Effective for Bills Rendered after the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
Meter Size (inches)			
2 inches	$136.31	$146.95	$157.59
3 inches	$252.46	$284.42	$316.37
4 inches	$367.90	$420.93	$473.96
6 inches	$599.47	$694.90	$790.32
8 inches	$1,020.86	$1,221.95	$1,423.04
10 inches	$1,910.15	$2,372.87	$2,835.59

Section C. Services to Other Areas. For those areas served by Westfield that do not meet the criteria of Section A or Section B, which areas are indentified on the attached service area map as "Outside of Westfield," the rates and charges shall be as follows:

Section C.1 Metered Rates.

	(2000 gallons)
Monthly Minimum Charge 5/8", 3/4" and 1":	$8.76
Monthly Usage	Per 1,000 Gallons
First 3,000 gallons	$4.38
Next 2,000 gallons	$3.39
Next 20,000 gallons	$2.85
All over 25,000 gallons	$2.47

Section C.2 Hydrant Service Fees.

Private Hydrant Service Fee per year	$790.32
Public Fire Protection Service Fee per month	$4.72

Section C.3 Sprinkler Systems-Annual Service Fee.

Meter Size (inches)	Annual Service Fee
2 inches	$157.59
3 inches	$316.37
4 inches	$473.96
6 inches	$790.32
8 inches	$1,423.04
10 inches	$2,835.59

Exhibit "A1" Continued

Section D. Non-recurring Charges. The following non-recurring charges shall be charged by the Department throughout all of Westfield's service areas:

Section D.1 Reconnection Charge. All customers shall be subject to a reconnection charge to reconnect disconnected service.

Reconnection Charge	Effective for Bills Rendered After the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
	$22.00	$23.00	$24.00

Section D. 2 Return Check Charge. All customers shall be subject to a return check charge for checks returned for insufficient funds.

Return Check Charge	Effective for Bills Rendered After the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
	$25.00	$26.00	$27.00

Section D. 3 Administrative Account Change Fee. For customers choosing to change information on their accounts, these customers shall be assessed a fee for such change. (In Lieu of Meter Connection Fee or Meter Deposit Fee.)

Administrative Account Change Fee	Effective for bills Rendered After the Dates Below		
	1/1/2009	1/1/2010	1/1/2011
	$17.00	$18.00	$19.00

Section D. 4 Lawn Irrigation Permit. Any customer who chooses to own or operate a lawn irrigation service, must obtain a Lawn Irrigation Permit through the City Public Works Department.

Lawn Irrigation Permit Fee	$120.00

Section D.5 Fire Service Application. Any customer who plans on installing a fire service must complete a Fire Service Application.

New fire Service Application Fee	$250.00

Section D.6 Change in Existing Fire Service. Any customer who plans to modify or change an existing Fire Service must complete an Application for Existing Fire Service.

Change in Existing Fire Service Fee	$250.00

Exhibit "A1" Continued

Section D.7 Meter Testing Charge. Any customer who requests a meter test that requires a fee to be paid as established under Rules 11.6 and 11.7 shall pay as follows:

5/8" Meter Test	$9.00
1" Meter Test	$17.00
2" Meter Test	$21.00
Greater than 2"	Actual Cost

Exhibit "A1" Continued

Section D.8 After Hours Turn On/Turn Off. Any customer who requests that water service be turned on or turned off, at no fault of the City or Department, outside of normal business hours shall pay an After Hours Turn On/Turn Off Fee. The customer shall pay an after hours service call charge of $37.00 per hour, with a minimum charge of one hour.

After Hours Turn On/Turn Off Fee	$37.00 per hour

Section D. 9 After Hours Service Call. Any customer who requests service outside of normal business hours, at no fault of the City or Public Work's Department shall be assessed an After Hours Service Fee. The customer shall pay an After Hours service call charge of $37.00 per hour, with a minimum charge of one hour.

After Hours Service Call Fee	$37.00 per hour

Section D.10 Credit Card. Any customer who conducts a credit card transaction via a credit card shall be assessed a transaction fee charge of $2.00.

Credit Card Transaction Fee	$2.00 per transaction

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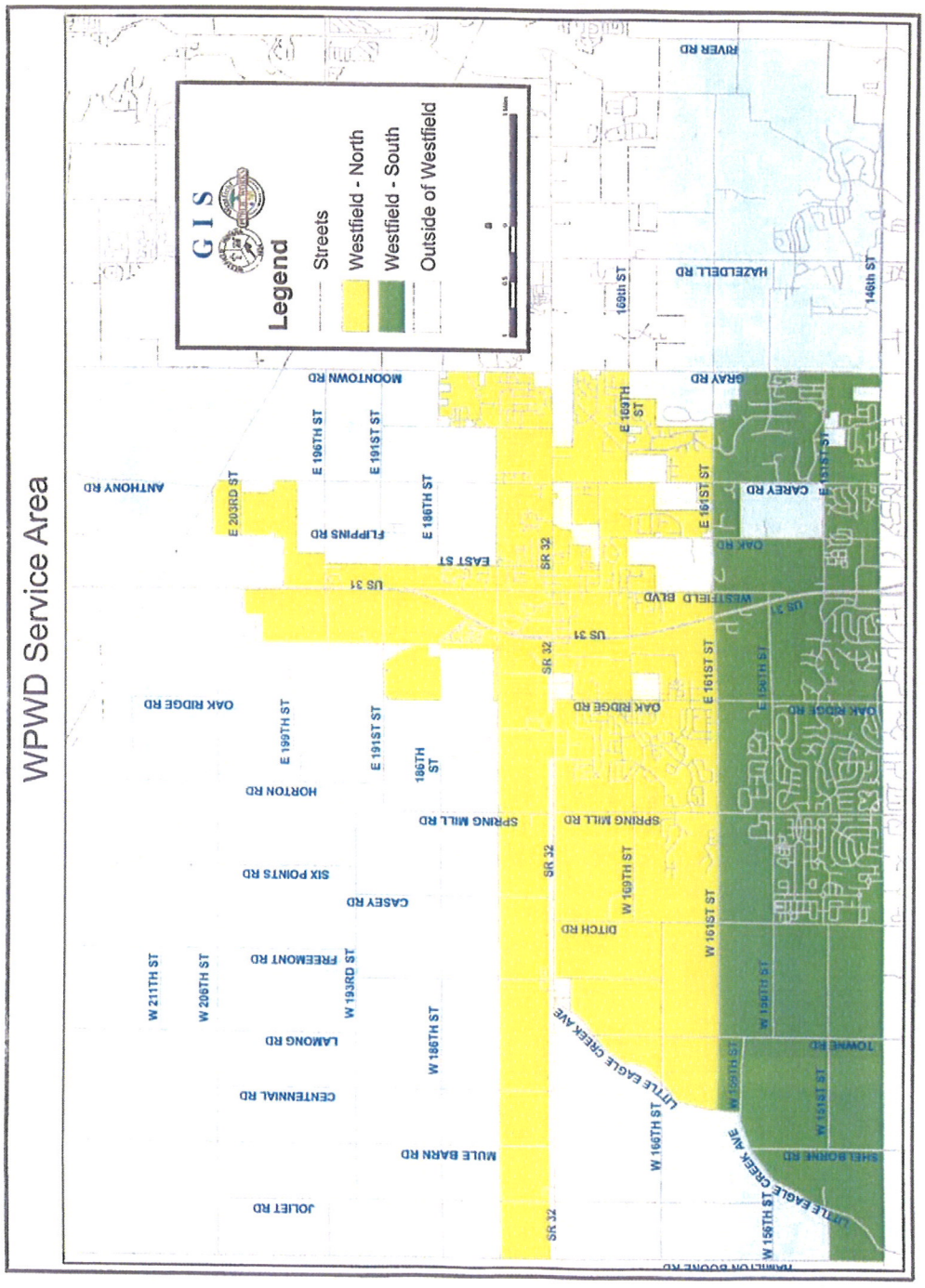
WPWD Service Area
GIS
Legend
Streets
Westfield - North
Westfield - South
Outside of Westfield
RIVER RD
HAZELDELL RD
146th ST
169th ST
GRAY RD
MOONTOWN RD
E 196TH ST
E 191ST ST
E 203RD ST
E 186TH ST
E 169TH ST
E 161ST ST
CAREY RD
OAK RD
ANTHONY RD
FLIPPINS RD
EAST ST
SR 32
US 31
WESTFIELD BLVD
OAK RIDGE RD
E 199TH ST
HORTON RD
SPRING MILL RD
SIX POINTS RD
CASEY RD
DITCH RD
W 169TH ST
W 161ST ST
W 211TH ST
W 206TH ST
W 193RD ST
FREEMONT RD
LAMONG RD
W 186TH ST
CENTENNIAL RD
MULE BARN RD
JOLIET RD
LITTLE EAGLE CREEK AVE
W 166TH ST
TOWNE RD
SHELBORNE RD