

## ORDINANCE NO. 2023-13

### **AN ORDINANCE AMENDING ORDINANCE 2023-8 THE MINIMUM BASE RATE RELATING TO THE WATERWORKS OF THE TOWN**

WHEREAS, the Town of New Richmond, Indiana (“Town”) has established, constructed and financed a municipal waterworks (Waterworks) in accordance with the provisions of Indiana Code 8-1.5, as amended (the “Act”), for the purpose of providing for potable water service in and around the Town; and

WHEREAS, various ordinances have been adopted from time to time regarding policies and procedures for the Waterworks and the establishment of water rates, fees and charges; and

WHEREAS, the current schedule of rates and charges for the Waterworks is set forth in an ordinance adopted and implemented by the Town Council on June 20, 2022 (the “Prior Ordinance”); and

WHEREAS, Therber Brock & Associates, LLP, Carmel, Indiana, has prepared a financial report concerning the rates and charges of the Waterworks (“Report”); and

WHEREAS, based upon the Report, the Town Council of the Town (“Town Council”) finds that the current rates and charges for the use of and services rendered by the Waterworks are insufficient to enable the Town to properly maintain and operate its Waterworks in a sound physical and financial condition to render adequate and efficient service; and

WHEREAS, the Town Council finds that the current rates and charges for the use of and service rendered by the Waterworks must be increased in order to provide sufficient revenue to meet such requirements; and

WHEREAS, the Town Council has caused notice of a public hearing on the rates and charges set forth herein to be duly advertised, posted and mailed, and has held a public hearing thereon at which time all users of the Waterworks, owners of properties served or to be served by the Waterworks and other interested persons were heard concerning the proposed rates and changes, all pursuant to the Act;

#### **THE AMENDING SECTION OF ORDINANCE 2023-13 IS;**

**The Town Council of the Town of New Richmond needs to raise the minimum base rate to \$35.45 from the \$32.25 due to the Keystone Utility program. The program was customized for our rates before this new rate increase, so therefore was designed to calculate the increases in the same amount per step starting from the minimum. Therefore, the minimum being raised to \$35.45 with an increase of \$7.25 per thousand moving into each step-in accordance to the recommended rates by Therber Brock & Associates, LLP. The changes in Appendix A are now \$35.45 for the minimum base rate.**

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW RICHMOND, AS FOLLOWS:

Section 1. For use of and service rendered by the Waterworks, each user shall be charged in an amount based upon a fee schedule, shown in Appendix A.

Section 2. The rates and charges enacted by this Ordinance shall become effective upon passage by the Town Council and shall be reflected in the customers' bills as soon as practicable following passage of this ordinance;

Section 3. All other provisions of the Prior Ordinance and earlier ordinances, not amended by this ordinance, shall remain in full force and effect.

**THEREFORE, BE IT ORDAINED**, this Ordinance shall be in full force and effect from and after the date of its passage, and all Ordinances or parts of Ordinances in conflict with the provisions hereof are of no further force of effect and are hereby repealed. If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance. The amendment thereof adopted by this Ordinance shall immediately take effect on 1st day of December, 2023 utility billing.

PASSED and ADOPTED by the Town Council of the Town of New Richmond, this 18 th day of October, 2023.

TOWN COUNCIL OF THE TOWN OF NEW RICHMOND

BY: AYE NAY ABSTAIN

Minnie M. Howard  
Minnie Howard, President

Linda Forbes  
Linda Forbes, Council Member

Rachelle Cowherd  
Rachelle Cowherd, Council Member

ATTEST:

Alaatha Foust  
Alaatha Foust, Clerk-Treasurer