

**ORDINANCE NO. 1-2017**

**AN ORDINANCE AMENDING THE RATES AND CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE SEWAGE WORKS SYSTEM OF THE BASS LAKE CONSERVANCY DISTRICT AND OTHER MATTERS RELATED THERETO**

WHEREAS, the Bass Lake Conservancy District (the "District") is governed by a Board of Directors (the "Board"), and has established, constructed and financed a municipal sewage works system for the purpose of providing for the collection, treatment and disposal of sewage throughout the District (the "System"); and

WHEREAS, in 1996 the Board approved the issuance of sewage works revenue bonds by the District in order to finance the cost of construction of the System; and

WHEREAS, the Board previously established the existing schedule of user rates and charges for the operation and maintenance of the System, pursuant to Ordinance No. 95-1, adopted by the Board on December 9, 1997, and subsequently amended by Ordinance Nos. 01-01 and 02-4; and

WHEREAS, the aforementioned sewage works revenue bonds are scheduled to mature on July 1, 2017; and

WHEREAS, as a result of the upcoming maturity date for the sewage works revenue bonds, the Board with the assistance of its financial consultant, H.J. Umbaugh & Associates, conducted an investigation into the needs of the District and has concluded that the existing rates and charges are more than sufficient to pay all the legal and other necessary expenses incident to the operation of the System, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations; and

WHEREAS, as a result of the foregoing, the Board is desirous of amending its existing schedule of user rates and charges for the operation and maintenance of the System in order to reduce said rates and charges. Attached hereto, incorporated by reference herein, and marked as *Exhibit "A"* to this Ordinance is an amended schedule of user rates and charges.

WHEREAS, notice of a public hearing on the proposed rates and charges has been duly given by publication as required by law, and said public hearing was held before this Board on May 15, 2017, at which users of the System, owners of property

served or to be served by the System and other interested persons had an opportunity to appear and express their reviews relating to the proposed rates and charges.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE BASS LAKE CONSERVANCY DISTRICT, AS FOLLOWS:

Section 1. The Board hereby finds and determines that, based upon the Board's investigation, the existing rates and charges are more than sufficient to pay all the legal and other necessary expenses incident to the operation of the System, including maintenance costs, operating charges, upkeep, repairs, depreciation, including increases in such costs, and the payment of principal and interest on bonds, future bonds or other obligations.

Section 2. The Board finds and determines that the proposed amended rates and charges set forth in *Exhibit "A"* are nondiscriminatory, reasonable and just, and are hereby adopted.

Section 3. Except as specifically amended hereby, all other part or provisions of Ordinance Nos. 95-1, 01-01 and 02-4 not previously amended or repealed by the Board shall remain in full force and effect.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and in all other respects the ordinances or parts of ordinances are hereby ratified, reestablished and confirmed.

Section 5. In the event any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect.

Section 6. This Ordinance shall be in full force and effect from and after ~~its~~ ~~passage and compliance with the procedures required by law.~~

the August 10, 2017, billing cycle.

PASSED AND ADOPTED by the Board of Directors of the Bass Lake Conservancy District located in Starke County, Indiana, on the 15<sup>TH</sup> day of May, 2017.

BASS LAKE CONSERVANCY DISTRICT

  
Chairman

Lauren R. Collins  
Vice-Chairman

Jerry B. Watcher  
Member

Shirley R. Kraft  
Member

Russell D. Blais  
Member

Attest:

Maureen Gappa

**EXHIBIT "A"**

Amended Schedule of User Rates and Charges

<b>EXHIBIT A</b>										
<b>BASS LAKE CONSERVANCY DISTRICT</b>										
<b>ALL CLASS I USERS</b>										
					<b>Monthly Rate</b>					
Billing Costs – per monthly Bill					\$0.99					
					<b>Monthly Rate</b>					
					<b>Equivalent</b>					
					<b>User</b>					
					<b>Debt</b>					
					<b>Factor</b>					
					<b>Charge</b>					
					<b>Service</b>					
					<b>Total</b>					
<b>Residential:</b>										
Single-family residence/unit					1.00	\$33.11				\$33.11
Apartments, condominiums and townhouses/unit					0.75	24.83				24.83
Mobile home court/space available for rent					0.75	24.83				24.83
Multi-plex/unit					0.75	24.83				24.83
<b>Commercial:</b>										
Barber or beauty shop:										
First 3 employees					1.00	33.11				33.11
Each additional employee					0.25	8.28				8.28
Retail establishments:										
First 3 employees					1.00	33.11				33.11
Each additional employee					0.25	8.28				8.28
Gasoline service station:										
First 3 employees					1.00	33.11				33.11
Each additional employee					0.25	8.28				8.28
Grain elevator:										
First 3 employees					1.00	33.11				33.11
Each additional employee					0.25	8.28				8.28
Laundromats & washeterias/washer					0.75	24.83				24.83
Motel, rooming houses and similar establishments:										
First rented room					1.50	49.67				49.67
Each additional rented room					0.50	16.56				16.56
Restaurants, drive-ins, bars and organizations with eating and/or drinking facilities:										
First 2 employees					1.00	33.11				33.11
Each additional employee					0.25	8.28				8.28
Service stations/auto repair:										
Without car wash:										
First 3 employees					1.00	33.11				33.11
Each additional employee					0.25	8.28				8.28
With car wash:										
Per car wash bay					2.50	82.78				82.78
Shop or office in residence										

First 3 employees	1.00	\$33.11		\$33.11
Each additional employee	0.25	8.28		8.28
Telephone company:				
First 3 employees	1.00	\$33.11		\$33.11
Each additional employee	0.25	8.28		8.28
Veterinarian's office:				
First 2 employees	1.00	33.11		33.11
Each additional employee	0.25	8.28		8.28
Campground/per campsite	0.20	6.62		6.62
<b>Institutions:</b>				
Churches and other religious organizations without eating and/or drinking facilities:				
For each 200 members, or fraction thereof	1.00	33.11		33.11
Aquatic research facility	8.00	264.88		264.88
<b>Governmental:</b>				
Community center	1.00	33.11		33.11
Offices:				
First 3 employees	1.00	33.11		33.11
Each additional employee	0.25	8.28		8.28
Post Office:				
First 3 employees	1.00	33.11		33.11
Each additional employee	0.25	8.28		8.28
Fire Department	1.00	33.11		33.11
<b>Industrial:</b>				
Manufacturing - unmetered:				
First 3 employees	1.00	33.11		33.11
Each additional employee	0.25	8.28		8.28
(An industry with industrial process effluent discharged into the sanitary sewage system shall install, operate, and maintain, at the user's expense, a measuring device satisfactory to the District for the measurement of the volume of flow discharged for sanitary sewers and shall be charged for the quantity of flow under Section 3.)				