(passed 8-1 (ave))

ORDINANCE 03-24

TO AMEND TITLE 10
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "WASTEWATER"
(Rate Adjustment for Wastewater and Storm Water Services)

WHEREAS, the City of Bloomington, Indiana (the "City") has heretofore constructed and has in operation a wastewater collection system and treatment plants for the purpose of collecting and treating sewage wastewater and conveying the same away from the premises where produced; and

WHEREAS, the Utilities Service Board has recommended, after due consideration, including a public meeting on August 25, 2003, that adjustments to rates and charges of the wastewater utility should be approved by the Common Council in respect to the existing wastewater;

NOW THEREFORE BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 10.08.040 of the Bloomington Municipal Code, entitled "Rates—Metered water users," shall be amended to read as follows:

10.08.040 Rates—Metered water users. General service rates shall be applicable to all metered water users except those with other than average strengths of BOD and suspended solids. The general service rates shall be determined as follows:

	Portion of Rate Applicable to:		
	Operations, Maintenance, & Replacement Expenses	Capital Related Costs	Total
Monthly service charge (per meter)	$2.75	$1.02	$3.77
User Charge			
Charge per 1,000 gallons per month for all billable usage:			
Residential [(a)]	2.68	1.00	$3.68
Commercial	2.68	1.00	$3.68
Indiana University	2.68	1.00	$3.68
Industrial [(b)]	2.68	1.00	$3.68

(a) Residential summer rates for billings issued during the months of June, July, August, and September shall be based upon the average metered water consumption for billings issued during the months of April and May or actual usage, whichever is less. In order to more accurately reflect the actual wastewater usage of these customers, the Utilities Services Board may, by the adoption of a resolution, change the months used to set the summer rates and the length of time the summer rates are in effect. All other users shall be charged on the basis of one hundred percent of metered water consumption subject to user proof of lower wastewater use.

(b) Industrial user rates and charges shall be based on the quantity of water used as well as any special service rates that may apply.

SECTION 2. Section 10.08.045 of the Bloomington Municipal Code, entitled "Rates – Stormwater utility users," shall be amended to read as follows:

10.08.045 Rates -- Stormwater Utility Users.

a) The rates and charges of the stormwater utility shall be as follows:
The stormwater system user fee is applicable to all utility customers with accounts within the stormwater system service area. All customers classified by the utility as being single family residential shall pay a monthly charge of $2.70. All other customers shall be charged based upon the amount of runoff generated by the customer. The amount of runoff subject to the stormwater

utility rate shall be determined by a calculation based upon the following formula, minus any credits, as approved by the Utilities Service Board:

$$\frac{\text{Runoff generated by non-Single Family Residential Customer}}{\text{Runoff generated by the average Single Family Residential Customer}} \text{ Multiplied times \$2.70}$$

(b) These rates and charges shall be billed monthly, and all provisions of the Indiana Code, the Bloomington Municipal Code and the City Utilities Department Rules, Regulations and Standards of Service which apply to the payment and collection of rates and charges for wastewater services shall apply equally to the rates and charges for stormwater utilities services.

SECTION 3 Section 10.08.070, entitled "Rates—Nonmetered users," shall be amended to read as follows:

10.08.070 Rates—Nonmetered users. The minimum rate or charge for any service where the user is not a metered water user shall be three hundred sixty-six dollars and seventy cents ($366.70) per year, payable monthly, with two hundred and sixty-seven dollars and sixty-nine cents ($267.69) attributable to operation, maintenance, replacement and expense costs, and ninety-nine dollars and one cent ($99.01) attributable to capital related costs. At the request of the utility or user, a meter which measures either the water use of the customer or the discharge into the sanitary sewer system shall be installed at the user's expense. Where a meter has been installed or the customer's water use records are available at no charge from the water supplier, the charge for service shall be computed on the basis of water usage plus monthly service charge, just as it is with a metered user, subject to the annual minimum charge.

SECTION 4. Section 10.08.090, entitled "Delinquencies—Late payment charge," shall be amended to read as follows:

10.08.090 Delinquencies—Late payment charge. In the event a net bill is not paid within seventeen days from the mailing of the bill, it shall become a delinquent bill and a late payment charge may be added in the amount permitted by applicable State laws and regulations.

SECTION 5. Subsection (b) of Section 10.08.110, entitled "Special service rates," shall be amended to read as follows:

10.08.110, Subsection (b) Special Rates. Special service rates shall be determined as follows:

	Portion of Rate Applicable to:		
	Operations, Maintenance, & Replacement Expenses	Capital Related Costs	Total
Monthly service charge (per meter)	$2.75	$1.02	$3.77
Special laboratory analysis monthly charge			
Strength of BOD and SS sampling charge			79.12
Grease and oil sampling charge			74.18
Metal sampling charge (per metal per test)			16.49
User Charge			
Charge per 1,000 gallons per month for all billable usage:			
Non-excessive strength rate	2.68	1.00	3.68
Extra Strength Charge			
Charge per pound per month for all			

strength in excess of 300 ppm:			
BOD	0.137	0.042	0.179
Suspended Solids	0.103	0.042	0.145

SECTION 6. Severability. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this chapter are declared to be severable.

SECTION 7. After its passage by the Common Council and approval of the Mayor, this ordinance shall take effect on October 1, 2003.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 24th day of September, 2003.

CHRIS GAAL, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 25th day of September, 2003.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 25th day of September, 2003.

JOHN FERNANDEZ, Mayor
City of Bloomington

Synopsis

This ordinance amends the rates and charges included in Title 10 of the Bloomington Municipal Code, entitled "Wastewater", to reflect inflation and increased costs of supplying wastewater collection and treatment services to customers of the wastewater utility, and for financing required capital improvements to the system. It also changes the language in the Code regarding delinquent account penalties to make it consistent with State laws and regulations.

Signed copies to:
legal (5) BMC file file
controller clerk
utilities CA/CA(2)