(passed 8-1 (Sabbagh))

ORDINANCE 05-34

TO AMEND TITLE 10
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "WASTEWATER"
(Wastewater Rate Adjustment)

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 November 28, 2005, 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:

Monthly service charge (per meter)	$4.26
User Charge	
Charge per 1,000 gallons per month for all billable usage:	
Residential [(a)]	$4.16
Commercial	$4.16
Indiana University	$4.16
Industrial [(b)]	$4.16

(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 10.08.070, 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 four hundred and fourteen dollars and thirty-seven cents ($414.37) per year, payable monthly. 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 3. Subsection (b) of Section 10.08.110, entitled "Special service rates," shall be amended to read as follows:

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

Monthly service charge (per meter)	$4.26
Special laboratory analysis monthly charge	
Strength of BOD and SS sampling charge	89.41
Grease and oil sampling charge	83.82
Metal sampling charge (per metal per test)	18.63
User Charge	
Charge per 1,000 gallons per month for all billable usage:	
Non-excessive strength rate	4.26
Extra Strength Charge	
Charge per pound per month for all strength in excess of 300 ppm:	
BOD	0.202
Suspended Solids	0.164

SECTION 4. 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 5. This ordinance shall be in full force and effect as of January 1, 2006 subject to its passage by the Common Council of the City of Bloomington, Monroe County, Indiana, and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21 day of December, 2005.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

~~REGINA MOORE, Clerk~~ Matt Weber, Deputy Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 23rd day of December, 2005.

~~REGINA MOORE, Clerk~~ Deputy Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 26TH day of DECEMBER, 2005.

MARK KRUZAN, 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. The provisions will go into effect on January 1, 2006.

Signed copies to:
legal (5)
controller
utilities
US Board

BMC file (2)
Clerk
file
CA/CA (3)