Passed 8-1
(Banach)

ORDINANCE 01-15

TO AMEND CHAPTER 10.08 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "WASTEWATER RATES AND CHARGES"
(Adjusting the Storm Water Utility User Rates for Certain Customers Under Section 10.08.045)

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 City of Bloomington, Indiana, pursuant to the authority of IC 36-9-23, has heretofore created a storm water utility within said wastewater utility to, among other things, address storm water management problems and deal with the costs of collecting and treating storm water drainage; and,

WHEREAS, the Common Council of the City is authorized to set rates and charges under IC 36-9-23-25 for the services provided by the wastewater utility and its storm water utility division; and,

WHEREAS the Utilities Service Board has recommended, after due consideration, including public meetings conducted on July 2, and July 16, 2001, that adjustments to the rates and charges of the storm water utility should be approved by the Common Council, which would shift basis for the charges for certain customers to a run off rate calculation area;

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

SECTION I. Section 10.08.045 Rates – Storm Water Utility Users of the Bloomington Municipal Code part (a) shall be amended to read as follows:

10.08.045 Rates -- Storm Water Utility Users.

(a) The rates and charges of the storm water utility shall be as follows:
The storm water system user fee is applicable to all utility customers within the storm water system service area. All customers classified by the utility as being single family residential shall pay a monthly charge of $2.35. 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:

(Runoff generated by non Single-Family Residential Customer divided by runoff generated by the average Single Family Residential Customer) multiplied by $2.35.

The utility may continue to bill non-Single Family Residential Customer under the existing billing structure during the time that such runoff rates are phased in.

All non-Single Family Residential Customers for which runoff rates are not available shall be charged based upon the size of the water meter(s) as follows:

Water Meter Size "	Monthly User Charge $
5/8	2.35
3/4	2.35
1	5.88
1 ½	11.75
2	18.80
3	35.25

4	58.75
6	117.50
8	235.00
10	352.50

SECTION II. Severability. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION III. Enactment. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 25th day of July, 2001.

S. Patricia Cole
PATRICIA COLE, President
Bloomington Common Council

ATTEST:

Regina Moore
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 July, 2001.

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 25th day of July, 2001.

J. Fernandez
JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 10 "Wastewater" of the Bloomington Municipal Code to implement runoff rate calculations for use in computing storm water utility user charges for certain customers. It is the intent of the Utility to phase in runoff charges while retaining the ability to assess charges based upon water meter size.

Signed copies to:
utilities
utilities service board
controller
legal (5)
BMC
CM/CA